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DATE: March 16, 2010

TO: Chair and Members of Planning and Development Committee
Meeting Date: April 6, 2010

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Regional Official Plan Amendment 24 (ROPA 24) – Places to Prosper, Proposing Changes Related to Growth Management, Employment Lands and Greenbelt Policies – Report on Comments**

RECOMMENDATION:

1. That the proposed *Regional Official Plan Amendment 24 - Places to Prosper, Proposing Changes Related to Growth Management, Employment Lands and Greenbelt Policies* be supported subject to the modifications identified in the report titled "*Regional Official Plan Amendment 24 (ROPA 24) - Places to Prosper, Proposing Changes Related to Growth Management, Employment Lands and Greenbelt Policies – Report on Comments,*" dated March 16, 2010 from the Commissioner of Planning and Building.
2. That the report titled "*Regional Official Plan Amendment 24 (ROPA 24) - Places to Prosper, Proposing Changes Related to Growth Management, Employment Lands and Greenbelt Policies – Report on Comments,*" dated March 16, 2010 from the Commissioner of Planning and Building, be forwarded, by the City Clerk, to the Region of Peel, the City of Brampton and the Town of Caledon.

BACKGROUND: *Regional Official Plan Amendment 24 - Places to Prosper, Proposing Changes Related to Growth Management, Employment Lands and*

Greenbelt Policies (ROPA 24) is one of several amendments that are part of the Peel Regional Official Plan Review (PROPR). It was brought forward to Regional Council on July 9, 2009. Public open houses were held on September 8, 9 and 10, 2009. The formal public meeting was held October 8, 2009.

Mississauga staff has been actively involved in the PROPR process by participating in the Region's Technical Advisory Committee and stakeholder workshops, as well as through the review of draft reports and policies. Staff has provided comments on the amendments to Mississauga City Council through a series of corporate reports (dates are provided in Appendix 1).

On November 16, 2009, a report titled "*Regional Official Plan Amendment 24 (ROPA 24) - Places to Prosper, Proposing Changes Related to Growth Management, Employment Lands and Greenbelt Policies*" was received by Mississauga City Council at its Planning and Development Committee meeting. The report supported *ROPA 24* subject to modifications and was forwarded to the City Clerk, the Region of Peel, the City of Brampton and the Town of Caledon.

Over the last two months staff has participated in extensive discussions on the ROPA 24 policies. These discussions reviewed over 500 individual comments from over 30 agencies including the area municipalities, the Ministry of Municipal Affairs and Housing (the Province) and the private sector.

This report provides an update on:

1. Mississauga staff comments;
2. outstanding issues from the comments received;
3. the concerns of other area municipalities; and,
4. additional issues.

PRESENT STATUS: ROPA 24 revised policies and response to comments is anticipated to be brought to General Committee of Regional Council on April 15, 2010. The final amendment was not available when this report was prepared.

COMMENTS:**1. Mississauga Staff Comments**

Regional staff has addressed many of Mississauga's comments regarding this amendment. This report provides updated comments on the following issues:

- population and employment allocations;
- lands adjacent to highways, rail corridors, rail yards and major truck terminals;
- density around major transit station areas;
- density for Mississauga's Urban Growth Centre;
- intensification targets; and
- greenfield density targets.

Population and Employment Allocations

ROPA 24 includes population and employment allocations for each of the area municipalities. These allocations were required to conform to *Places to Grow: the Growth Plan for the Greater Golden Horseshoe (Growth Plan)*.

Previous comments from Mississauga stated that the population and employment allocations are not consistent with Mississauga City Council's adopted Growth Forecasts. The proposed allocations represent a proportional reduction of population and employment growth for each municipality within Peel. While no reduction to Mississauga's forecasts would be preferable, this method was regarded as the most reasonable approach proposed to meet the *Growth Plan* targets and the growth aspirations of all the area municipalities.

The combined allocations for the area municipalities exceeded the *Growth Plan* forecasts of 1,640,000 persons and 870,000 jobs for the Region of Peel by 5,000 persons and 5,000 jobs. Comments from the Province stated that the allocations in the amendment were to be consistent with the population and employment forecasts in the *Growth Plan*. As such, additional reductions to ROPA 24 allocations were required.

These reductions were applied to Mississauga and Brampton because the proportion of the allocations which exceeded the *Growth Plan* forecasts had been assigned to them. With these further reductions, Mississauga’s population is 7,000 less than the forecasts adopted by Mississauga City Council for 2021 and 2031. Mississauga’s employment is 9,000 less than the forecasts adopted by Mississauga City Council for 2031. Table 1 summarizes the original and readjusted allocations.

While no adjustments to Mississauga’s forecasts would be preferable, the adjustments are a reasonable solution to meet the growth objectives of all three area municipalities. However, further reductions to Mississauga’s population and employment allocations are not supported.

		Forecasts	ROPA 24 Allocations (Jul. 2009)	Adjustment	ROPA 24 Allocations (Mar. 2010)	Adjustment
2011	Pop.	738,000	738,000	0	738,000	0
	Emp.	455,000	455,000	0	455,000	0
2021	Pop.	775,000	770,000	-5,000	768,000	-7,000
	Emp.	500,000	500,000	0	500,000	0
2031	Pop.	812,000	807,000	-5,000	805,000	-7,000
	Emp.	519,000	513,000	-6,000	510,000	-9,000

Lands adjacent to highways, rail corridors, rail yards and major truck terminals

ROPA 24 included the following policy regarding lands adjacent to rail corridors, rail yards and major truck terminals.

5.3.1.9 Preserve and protect lands adjacent to highways, rail corridors, rail yards and major truck terminals for employment lands and infrastructure uses, where feasible.

Comments from Mississauga had stated that this policy did not recognize the diversity of different land use contexts across the Region and would result in a number of non-conforming sites. It was suggested that this policy be amended to align with the objectives of

the area municipal plans. Comments received from the Province support the policy. The policy has been revised to be consistent with the *Growth Plan* policies which states these lands should be protected *where appropriate*. As revised, the policy is acceptable.

Density Around Major Transit Station Areas

ROPA 24 included the following policy regarding density targets around major transit station areas.

5.5.4.2.6 Encourage the area municipalities to require development around major transit stations within the designated greenfield area to achieve a minimum density of 100 residents and jobs combined per hectare.

In previous comments, staff stated that further study would be required to establish targets that accounted for local circumstances. The Province supports minimum density targets around major transit station areas. The Region is proposing to maintain this policy without any change. As this is an encouragement policy, it can be supported.

Density for Mississauga's Urban Growth Centre

Official Plan Amendment 95 (OPA 95), the City's *Growth Plan* conformity amendment, included policies for Mississauga's Urban Growth Centre to strive to achieve gross densities between 300 to 400 residents and jobs combined per hectare. These targets are not intended to have a time horizon and extend beyond the 2031 planning horizon. As such, these targets would not have implications for the current population and employment allocations.

These density targets were approved by Regional Council when it approved OPA 95 and are supported in Provincial comments. Given the importance of this density target to planning for Mississauga's downtown and planning for services and infrastructure investments, including Regional services, it should be included in ROPA 24. Regional staff recommended that only the 200 residents plus jobs target as specified in the *Growth Plan* be included. This direction is not supported.

Intensification Targets

While the ROPA 24 population and employment allocations achieve the 40% intensification target, Provincial comments state that there are opportunities in the Region of Peel to exceed this and that ROPA 24 should include intensification targets for each local municipality. ROPA 24 revised policies contain intensification targets for each area municipality. This policy is supported.

Greenfield Density Targets

A number of comments were received regarding greenfield densities. Currently it is estimated that the Region's greenfield densities will be in the mid-40s, below the 50 residents plus jobs *Growth Plan* target. Provincial comments state that greenfield density targets should be established for each area municipality. To address these comments, a new policy that requires the completion of a study illustrating how each municipality will contribute to achieving the greenfield density target is proposed.

5.5.4.2.2 Complete, in collaboration with the area municipalities, an analysis, within 6 months from the date of adoption of the Regional Official Plan No. 24, to demonstrate how allocation of the Regional Forecasts included in Table 3 will be planned at the municipal level, to contribute to the achievement of a minimum combined Regional greenfield density target.

There is no objection to this policy, however, there is uncertainty as to whether this will be acceptable to the Province.

2. Provincial Comments

Mississauga supports the *Growth Plan* and consequently also supports many of the comments provided by the Province for ROPA 24. The direction on the following issues should be addressed in ROPA 24:

- land budget to meet population and employment allocations; and,
- settlement boundary expansions and Municipal

Comprehensive Review.

Land Budget to Meet Population and Employment Allocations

The Province commented that the Region should identify how much land is needed to meet the forecasts. Mississauga staff concur that a Regional land budget would provide clarity regarding future greenfield expansions and would allow a detailed analysis of the infrastructure requirements and costs associated with these expansions.

Settlement Boundary Expansions and Municipal Comprehensive Review

The *Growth Plan* has specific requirements for the expansions to settlement boundaries to prevent sprawl and ensure investments in infrastructure are used efficiently. In the proposed Regional policies a Municipal Comprehensive Review (MCR) (formerly Regional Municipal Comprehensive Review) and Regional Official Plan Amendment will be required for:

- an expansion to the 2031 urban boundary;
- an expansion to the 2021 or 2031 Rural Service Centre boundary (Rural Service Centres are identified in the Regional Official Plan (ROP) as Mayfield West, Bolton and Caledon East);
- an expansion to the boundary for Palgrave Estate Residential Community; and
- designation of new a Urban Growth Centre or Regional Intensification Urban Corridor.

The MRC sets out a list of requirements intended to address the *Growth Plan* policies on this issue. These have been modified based on comments received and, as proposed, are not as rigorous as those in the original policies or the *Growth Plan*. Notably, ROPA 24 policies state that an MCR should require consideration of opportunities in the *area municipality* and not the *regional market area*. The argument has been put forward that regional opportunities have been considered as part of the ROPA 24 review and once growth has been allocated, there

is no need to review the allocations until the next Regional Official Plan Review. While this argument has some merit, it would be stronger if the growth allocations were accompanied by a Regional land budget to illustrate Regional greenfield densities and infrastructure requirements.

The Province commented that boundary expansions, whether for the urban system, rural service centres or rural settlements, must go through the same process and that greenfield density targets are to be achieved prior to allowing boundary expansions. *Growth Plan* policies require that the intensification and greenfield density targets are achieved and that opportunities are not available in the *regional market area* to be demonstrated through a MCR. Caledon is intending to undertake boundary expansions subsequent to the approval of ROPA 24 to accommodate some of its allocated growth.

Related to this, ROPA 24 policies identify areas around Mayfield West, Bolton and Tullamore as settlement study areas to accommodate growth to 2031. Future studies would determine the amount of land required and which areas to include within the urban boundary. Expansions to these areas will require an MCR and ROPA. The Province has stated that the identification of settlement study areas is not supported and should occur as part of the ROPA 24 exercise or in a subsequent ROPA. The supporting MCR needs to address growth allocations, intensification and density targets, as well as the Regional land budget.

3. Comments from Other Municipalities

Brampton

The City of Brampton identified the following outstanding issues in relation to ROPA 24:

- Population Forecasts – ROPA 24 population allocations remain as Brampton’s key outstanding issue. ROPA 24 proposes a 2031 population of 725,000 for Brampton. This is 13,000 less than the forecasts prepared by Hemson Consulting Inc. and endorsed by Brampton City Council in May 2009.

A report on ROPA 24 brought forward to Brampton Planning, Design and Development Committee on March 1, 2010 states that the adoption of the High Growth Scenario by Mississauga Council resulted in reductions elsewhere in Peel with Brampton being the most impacted. The Brampton report suggests alternative forecasts could moderate the reduction for Brampton and meet *Growth Plan* targets. It is important to note, that Brampton is forecast to have the greatest growth to 2031 and thus, the proportional reduction approach used to meet the *Growth Plan* forecasts has resulted in the greatest reductions for Brampton.¹

- Employment Forecasts – There is a modest difference between the ROPA 24 and Brampton City Council endorsed employment forecasts in May 2009. Brampton is recommending that the ROPA 24 employment forecasts be accepted.
- Employment Land Budget - The two employment land studies undertaken by the City of Brampton have produced slightly different findings. Given these findings, Brampton is requesting that the employment land budget not provide detailed municipal land area requirements. This is contrary to the Province's position which supported the inclusion of land requirements. The Region is proposing to include the employment land needs. The policy states that this information is subject to refinement following detailed area municipal studies.

¹ As this report was being prepared, the draft adoption report for ROPA 24 was circulated. The draft allocations had been 1,000 fewer than the 2031 forecasts in Brampton's 2006 Official Plan. The ROPA 24 population allocations have been adjusted to include an additional 1,000 population for the City of Brampton to address their concerns. As a result of this adjustment, the population allocations for the Region of Peel exceed the *Growth Plan* forecasts by 1,000.

Caledon

Town of Caledon issues regarding ROPA 24 are as follows:

- Palgrave Estates Residential Community (PERC) – The Province includes the PERC within the designated greenfield area. Caledon has requested that the PERC be identified as an undelineated built-up area so that it is exempt from the greenfield density target. The Region supports Caledon’s position, even though the Province has previously denied this request. Brampton also supports Caledon’s position, if it can be approved by the Province. The exclusion of Palgrave would marginally improve the Region’s greenfield density target required by the *Growth Plan*.
- Rural Settlement Area Expansions – Rural settlements in Caledon are small hamlets and villages with an approximate total population of 5,000 people. An additional 5,000 people are forecast to be accommodated in these areas to 2031. ROPA 24 policies require that an MCR be undertaken prior to an expansion. The Town and the Region will determine jointly that the requirements of the MCR policies have been met. A ROPA will only be required if it is demonstrated that the expansion adversely affects the ability to achieve the regional greenfield density target.

Caledon is of the opinion that these expansions are minor and a ROPA should not be required. Region of Peel staff concur.

Despite the scale of the growth proposed, additional land may be required to accommodate the allocated population and may affect the Regional greenfield density target. Further, without a ROPA, this process may not allow Mississauga and Brampton an opportunity to provide input on proposed densities or infrastructure needs.

The Province has stated that all boundary expansions should require the same process, as they are tied to overall regional forecasts and the achievement of region wide intensification and density targets.

4. Additional Issues

Ninth Line Lands

Mississauga has recently adjusted its boundary to include lands west of Ninth Line. A draft of ROPA 24 circulated during the preparation of this report, states that the ROP applies to the areas of Mississauga, Brampton and Caledon within the municipal boundaries that existed on December 31, 2009. A policy included with the amendment states that the policies of the ROP do not apply to these lands.²

5.10 On January 1, 2010 the lands between Ninth Line and Highway 407 (the Ninth Line Lands) became part of the City of Mississauga and the Region of Peel. These lands are identified in the Region of Halton Official Plan as the Ninth Line Corridor Policy Area. Currently, the policies of the Region of Halton and the Town of Milton official plans apply to these lands. The policies of the Region of Peel Official Plan do not apply to these lands. A future amendment will bring these lands into conformity with the Region of Peel Official Plan. The lands are shown on Schedule D, Schedule D3 and Figure 3 for reference purposes.

As a result, the following issues are unclear:

- Is an urban boundary expansion and MCR required for these lands?

² Regional staff have stated that the lands retain the designations and zoning that were in place under the Region of Halton and Town of Milton Official Plans and Town of Milton Zoning By-law. The Region of Halton Official Plan designates the area as “Ninth Line Corridor Policy Area.” Policies under this designation require the Town of Milton to incorporate land use designations and policies recommended in the “Ninth Line Corridor Protection and Land Use Study.” The recommendations were not implemented in the Town of Milton Official Plan, which designates these lands as *Agricultural* and *Parkway Belt West*.

- How would an MCR address Mississauga's potential for intensification? Will this potential preclude an urban boundary expansion for the Ninth Line lands if it is deemed to be appropriate?
- Could these lands be viewed as a 'remnant' parcel and require a minor adjustment to the urban boundary?
- Would a similar process to rural settlement expansions in Caledon be applied to the Ninth Line Lands?

Official Plan Amendment 95 (OPA 95) Appeals

Official Plan Amendment 95 (OPA 95), Mississauga's conformity amendment, was adopted by Mississauga City Council on June 10, 2009, as per the Province's conformity deadline of June 16, 2009. Further, OPA 95 was partially approved by Regional Council in December 2009. The approval of the growth forecasts were deferred until ROPA 24 was considered by Regional Council.

There are five appeals to this amendment. Two of the appeals are site specific (Berkley Homes (Mississauga RD) Inc., Gemini Urban Design (Cliff) Corp.). The remaining three appealed OPA 95 in its entirety. Appeals on behalf of Solmar Development Corporation and the Azuria Group consider the amendment premature. Solmar stated it was premature until the Regional population and employment forecasts are approved. Orlando Corporation also identified issues in relation to the population and employment forecasts.

STRATEGIC PLAN:

ROPA 24 policies include allocations of population growth for Mississauga which do not support the intent of Action 17 *increase our population target and use this growth to fund and support new infrastructure* in the *Complete our Neighbourhoods* pillar of the Strategic Plan. The difference between the City Council adopted population forecasts and ROPA 24 allocations, however, is minimal for the horizons of 2021 and 2031.

In addition, the Province is undertaking a review of its growth forecasts. This is anticipated to result in additional population for the Region of Peel which will again need to be allocated in a future exercise.

FINANCIAL IMPACT: Not applicable

CONCLUSION: ROPA 24 amends and establishes policies for Greenbelt Conformity, Regional Forecasts, Growth Management and Employments Lands, as required by the *Growth Plan*, Provincial Policy Statement and Greenbelt Plan. Generally, the policies in ROPA 24 can be supported although some outstanding concerns have been identified.

While the allocations do not correspond with Mississauga City Council adopted forecasts, the reduction is a reasonable approach proposed to meet the *Growth Plan* forecasts and the growth objectives of all three area municipalities.

The density targets contained in OPA 95 for the Urban Growth Centre should be included in the Regional Official Plan.

Provincial comments in relation to a Regional land budget associated with the population and employment allocations are supported. Inclusion of a Regional land budget would provide clarity regarding future greenfield expansions and allow for an analysis of the infrastructure requirements and costs associated with these expansions.

Lastly, clarification regarding issues relating to the Ninth Line Lands is requested. Specifically, this should address whether an MCR is required for an urban boundary expansion, how the issue of Mississauga's intensification potential can be addressed or whether the lands would be viewed as a 'remnant' parcel and be addressed with the same framework applied to rural settlements.

ATTACHMENTS: APPENDIX 1: Peel Official Plan Timelines

Original Signed By:

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Emily Irvine, Planner

Appendix 1:
Peel Official Plan Comments and Timelines

ROPA	Report to Mississauga City Council	Report to Regional Council (Public Meeting)	Report on Comments & Adoption of Final Recommendations	Provincial Approval
ROPA 20: Sustainability and Energy	March 30, 2009	Jan. 22, 2009 (Feb. 26, 2009)	May 7, 2009 (GC*) May 14, 2009 (RC**)	Nov. 2009
ROPA 21: Air Quality and Integrated Waste Management	May 4, 2009	Feb. 26, 2009 (Apr. 23, 2009)	Nov. 12, 2009 (GC) Nov 19, 2009 (RC)	Anticipated - Jun. 2010
ROPA 21B*** Natural Heritage, Agriculture,		Part of ROPA 21 (Feb. 2009 (Stakeholder Meetings))	March 25, 2010 (GC) April 1, 2010 (RC)	To be determined
ROPA 22: Transportation	June 29, 2009	Mar. 26, 2009 (May 7, 2009)	Nov. 12, 2009 (GC) Nov 19, 2009 (RC)	Anticipated - Jun. 2010
ROPA 23: Housing	September 21, 2009	Jun. 18, 2009 (Sep. 17, 2009)	Nov. 12, 2009 (GC) Nov 19, 2009 (RC)	Anticipated - May 2010
ROPA 24: Places to Prosper Proposing Changes Relating to Growth Management, Employment Lands and Greenbelt	November 16, 2009	Jul. 9, 2009 (Oct. 8, 2009)	Dec. 3, 2009 (GC) Dec. 10, 2009 (RC)	Anticipated – Oct. 2010
ROPA 25: Monitoring Policies and Planning and Conservation Land Amendment Act Conformity Policies	November 30, 2009	Sep. 10, 2009 (Oct. 29, 2009)	Dec. 3, 2009 (GC) Dec. 10, 2009 (RC)	Anticipated - Aug. 2010
ROPA 26: Housekeeping, Transportation Schedules and Incentives to Intensification	To be determined	Winter 2010 (Winter 2010)	Winter 2010	To be determined

* General Committee

** Regional Council

*** ROPA 21 B policies have been split from ROPA 21. Open house on mapping has been held February 22, 2010 and a second staff report and final recommendations are anticipated in March 2010. Staff comments were provided for these policies in a report to Mississauga City Council which commented on ROPA 21.