

Ontario Growth Secretariat
Ministry of Municipal Affairs and Housing
777 Bay Street
23rd Floor, Suite 2304 Toronto
ON M5G 2E5

July 30, 2020

Subject: Amendment #1 to the Growth Plan for the Greater Golden Horseshoe, 2019 & Land Needs Assessment Methodology: ERO Postings: ERO-019-1680; ERO-019-1679

File: 552-09

This submission represents the City of Burlington comments in response to the posting of 2 notices on the ERO related to Amendment #1 to the Growth Plan for the Greater Golden Horseshoe, 2019 and the Proposed Land Needs Assessment Methodology for A Place to Grow. The Ontario Growth Secretariat released the postings for a consultation period that extended from June 16th to July 31st, 2020.

The submission includes a high level discussion of key comments and detailed comment tables are arranged by theme in Appendix A: Detailed Comments.

Key Comments on Proposed Modifications to the Growth Plan, 2020

Theme 1: Key Policy Changes

Employment Conversions in Provincially Significant Employment Zones located within MTSAs

Proposed Amendment:

The proposed changes include a policy update that would allow conversion of employment areas to non-employment uses within a provincially significant employment zone that is located within a Major Transit Station Area (MTSA), outside of a municipal comprehensive review.

Staff Analysis:

Staff have concerns about the implementation of this policy.

In general, the City supports the intent of this policy change, but notes this proposed policy presents challenges related to a municipality's ability to plan for its MTSAs in a timely manner. This proposed policy is only effective if and when the upper-tier municipality has delineated the MTSAs.

Furrher direction and clarity are needed regarding the appropriateness of employment conversion within MTSAs where a municipality hasn't identified an opportunity for conversion.

While this proposed policy has the potential to create more housing, more quickly in MTSAs, it does not provide any further clarity around prioritizing employment uses or mixed use development within MTSAs to ensure complete communities can be realized in these areas.

Staff Recommendation:

1. The Province should ensure that property owners and other stakeholders such as municipalities understand the role and the opportunities presented by the PSEZ. The City expects more guidance from the Province on the PSEZ mapping and may request further modifications as the PSEZ objectives and policy framework become clearer.
2. The City requests more tools to ensure the development of complete communities in MTSAs, such as policy direction that requires the retention of a minimum gross floor area and/or minimum employment density for employment uses after an employment conversion has occurred.

Mineral Aggregate Extraction in Habitat of Threatened and Endangered Species

Proposed Amendment:

This revised policy deletes "habitat of endangered species and threatened species" from the list of key natural heritage features and key hydrologic features where new mineral aggregate operation, new wayside pits and any ancillary or accessory uses may be permitted.

Staff Analysis:

Staff have concerns with the revised policy. There is insufficient rationale for the removal of this clause.

Staff Recommendation:

1. Staff do not support the revised policy.

Theme 2: Growth Related Policy Changes

Planning Horizon

Proposed Amendment:

There is a policy revision to change the planning horizon from 2041 to 2051.

Staff Analysis:

Staff have several comments with regards to the proposed planning horizon to 2051, including timing of conformity exercises, impacts on local planning and a need for progressive targets:

Timing of Conformity Exercises:

With regards to the timing of conformity exercises, it should be recognized that many municipalities are currently undertaking their 2041 conformity exercises and working towards the July 2022 conformity deadline.

Changing the planning horizon in the midst of these exercises, some of which are well underway, has the potential to cause delays to the project timelines. As such, there should be some flexibility or options given to municipalities with respect to the conformity deadlines.

Impact on Local Planning:

Continuous changes are challenging for municipalities to develop and implement a local planning vision. This allows developers to speculate on how and where growth should be allocated throughout a Region and City and proceed on that basis. The resulting development pressures without local planning being completed puts strain on local infrastructure, services, resources, etc.

Need for Progressive Targets:

The City of Burlington notes that it is not progressive to have the same percentage target of development in the built-up areas over a 31 year period. Progressive target increases to the percentage of units required within the built-up area and progressive density targets for Designated Greenfield Areas should be proposed alongside this modification. In order to manage sprawl, the additional growth post-2041 should have a higher target for development in the built-up areas.

Staff Recommendation:

1. See Appendix A: Detailed Comments for proposed policy modifications.

Updated Growth Forecast Numbers

Proposed Amendment:

The proposed policy changes including updated growth forecast numbers for the Greater Golden Horseshoe.

Staff Analysis:

The City of Burlington is concerned with the length of the time frame.

With each upper- and single-tier municipality able to establish their own growth targets and the forecasts being cast as minimums, there could be decisions made in the coming years that set out extensive urban boundary expansions.

Additional guidance is required to ensure that this policy would be used appropriately and would require appropriate planning arguments for increased growth targets beyond the minimums established in *A Place to Grow*.

Proposed Amendment:

Additional policy language allows for higher population and employment forecasts than contained in Schedule 3 if established by the applicable upper- or single-tier municipality through a municipal comprehensive review

Staff Analysis:

This approach is consistent with the approach to targets in the Growth Plan which are minimums. However, there should be a requirement for those municipalities that establish higher forecasts on Schedule 3: Distribution of Population and Employment for the Greater Golden Horseshoe to 2041 that they are also required to exceed the minimum Delineated Built-Up Area and Designated Greenfield Area targets in the Growth Plan.

Staff Recommendation:

1. Add a policy requirement that municipalities that establish higher forecasts than those contained in Schedule 3, should also establish higher Delineated Built-Up Area and Designated Greenfield Area targets, in keeping with the guiding principles of the Growth Plan.

Theme 3: Definitions

Proposed Amendment:

The proposed changes include updated definitions to Cultural Heritage Landscape, Ecological Function, Habitat of Endangered Species and Threatened Species, Municipal Water and Wastewater Treatment, On-Farm Diversified Uses and Public Service Facilities, as well as a new definition: Impact of a Changing Climate.

Staff Analysis:

The City of Burlington is generally supportive of the proposed changes especially where updates are proposed to align definitions with the PPS, 2020.

Theme 4: Other Issues

Strengthening of requirements for Engagement with Indigenous Communities

Proposed Amendment:

The policy update removes “First Nations and Metis communities” from the list of groups that municipalities are encouraged to engage with in local efforts to implement the Growth Plan. Engagement with Indigenous communities is now specifically referenced in new proposed policy 5.2.3.4.

Staff Analysis:

The City of Burlington supports additional policy language to strengthen requirements to engage with Indigenous communities.

As outlined in the joint Halton Area Planning Partnership (HAPP) submission, the City of Burlington requests that the Province provide additional guidance to municipalities on what constitutes “appropriate engagement” in various planning contexts and/or geographic areas of the Province. There is a pressing need for Provincial guidance to support the implementation of these policies by providing municipalities with clear direction on what will be expected through consultation and which applications will require consultation with Indigenous communities. The City of Burlington also recommends that the Province develop consultation guidelines so that there is a mutual understanding of what constitutes meaningful engagement.

Proposed Amendment:

Revised policy changes the co-ordination of planning matters with Indigenous communities from an encourage to a shall.

Revised policy also removes specific language regarding building relationships and facilitating knowledge sharing in growth management and land use planning processes.

Staff Analysis:

The City of Burlington is supportive of proposed changes that strengthen the policy from an “encourage” to a “shall”; however, the policy should maintain the specific language regarding building relationships and facilitating knowledge sharing in growth management and land use planning processes.

Further, as outlined in the joint Halton Area Planning Partnership (HAPP) submission, there is a need for the Province to both provide resources to Indigenous communities and guidance to municipalities on how to fulfill this policy direction.

Theme 5: General Changes throughout proposed Growth Plan Amendment 1

Throughout the Proposed Amendment 1, there are several minor policy language changes on a variety of topics.

Generally, the proposed changes are to provide alignment with the PPS 2020 and, given that, the City of Burlington has no concerns.

Key Comments on Proposed New Land Needs Assessment Methodology

The City of Burlington generally supports the simplified Land Needs Assessment (LNA) methodology.

As noted in the joint Halton Area Planning Partnership (HAPP) submission, the City of Burlington reiterates earlier comments to the Province with respect to the introduction of “market demand” to the PPS, 2020, the 2019 Growth Plan, and now the proposed LNA methodology. It is critical to emphasize that “market demand” is only one consideration amongst many considerations such as protecting natural hazards and natural heritage with respect to implementing the Growth Plan, and in particular, planning for settlement area expansions.

Further, the City of Burlington notes that the proposed new Land Needs Assessment methodology has been provided for review with high level information, which makes it difficult for municipalities and stakeholders to provide detailed comments. Some concepts have been introduced without clarification on their interpretation such as “market contingencies”. The City requires more information from the Province in order to better understand the implications of the proposed Land Needs Assessment methodology.

The City requests that the Province provide more funding as well as tools to support municipalities in their ability to plan for and provide public infrastructure such as schools, community centres, libraries, etc. over the long term to meet complete communities objectives to the 2051 planning horizon.

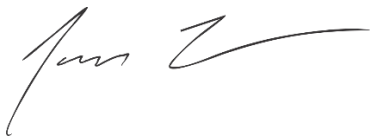
Conclusion

The City of Burlington is supportive of the initiative taken to identify challenges to implementing the Growth Plan.

Please accept the detailed cover letter and attached tables as the City of Burlington’s comments with a focus on providing clarity, and with attention to the Province’s stated desired outcomes related to Proposed Amendment 1 to the Growth Plan, 2019.

Thank you for providing the City of Burlington the opportunity to comment on these policy and regulation modifications.

Respectfully submitted,



Jamie Tellier MCIP, RPP
Interim Director of Community Planning
City of Burlington

Attached:

Appendix A: Detailed Comments