

August 29, 2023

Hon. Steve Clark
Minister of Municipal Affairs and Housing
777 Bay Street - 17th Floor
Toronto, Ontario
M7A 2J3

Dear Minister Clark;

**Re: Brant County Official Plan
ERO Number 019-7246
Ministry Reference Number 29-OP-231816**

Brant County Official Plan Should be Modified to Designate Lands at Block 24, 305 King Edward Street, Paris as Community Corridor to Permit Mixed-Use High Density Development

This letter is a submission in response to the Environmental Registry posting for the new Brant County Official Plan. We act for Sifton Properties Limited in this matter. A companion planning opinion from GSP Group is provided together with this submission. **We are requesting that the Minister modify the land use designation applicable to 305 King Edward Street to **Community Corridor**.**



Brant County has adopted a new Official Plan, following their Municipal Comprehensive Review. It is now before the Minister for his consideration.

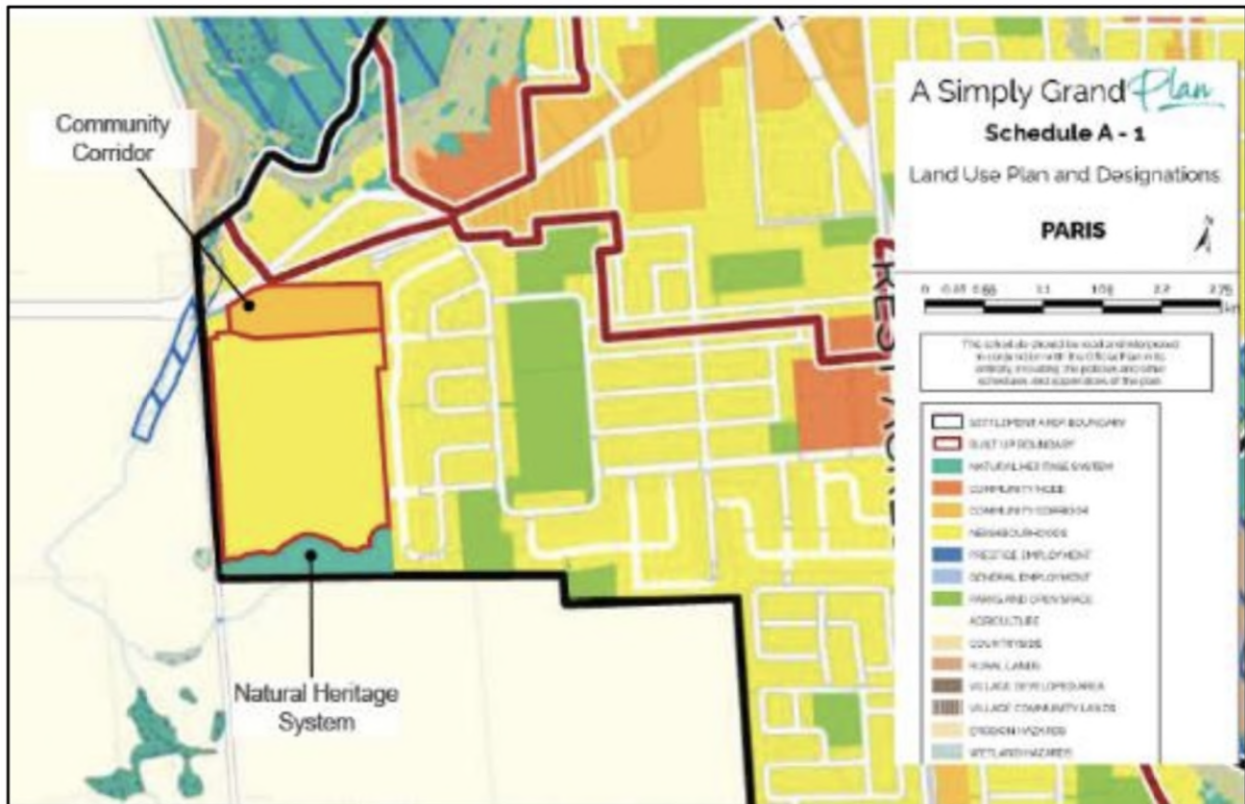
The purpose of the requested modification is to reflect a settlement of an Ontario Land Tribunal appeals relating to the property - a settlement that was entered into shortly after the County's adoption of their new Official Plan. (The new Official Plan was adopted on May 30, 2023 - the settlement between Brant County and Sifton was approved by Council on June 27, 2023).

The subject site is in the Designated Greenfield Settlement Area in the Paris community in Brant County's Urban System. The lands are designated as Urban Residential in the current Official Plan, and as Neighbourhood in the newly adopted Brant County Official Plan.

The proposed modification will facilitate the proposal for intensification on the north portion of the site, in proximity King Edward Street, which is the major east-west road through Paris, as shown on the plan below.



The plan below shows the Block 24 portion of the site on which a redesignation to **Community Corridor** is requested on which the apartment is proposed. The plan also shows the portion of the site at the south end of the site which is proposed to be redesignated as **Natural Heritage System**.



The Minister should modify the County's adopted Official Plan to designate the Block 24 portion of 305 King Edward Street as Community Corridor, and the south end of the site as Natural Heritage System. In the alternative, the Minister should refer the matter to the Ontario Land Tribunal for a hearing.

Sifton Owns Approximately 24 Hectares of Land, All of Which Has Been in the Primary Urban Settlement Area of Paris and Is Currently Designated as “Urban Residential” in the Official Plan - The New Adopted Official Plan Designates Those Lands As “Neighbourhood”

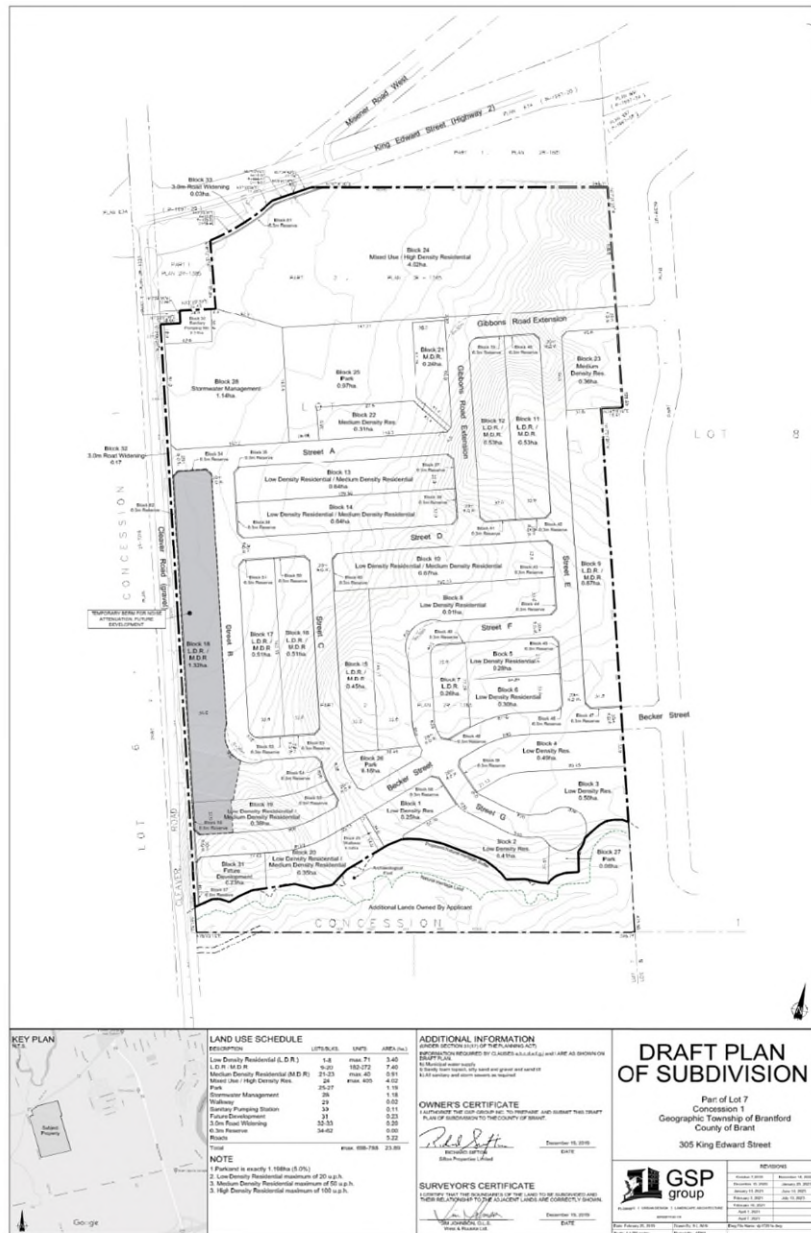
Sifton Properties Limited is the owner of 305 King Edward Street, approximately 24 hectares of land in the community of Paris, in Brant County. All of that site has been mapped as being in the Primary Settlement Area of Paris.

King Edward Street is now proposed to be an Urban Arterial Road in the Proximity of the site. Provincial policy encourages a compact form of development and a range and mix of housing types in the designated greenfield area. The location, in proximity to the King Edward Street Urban Arterial Road, makes this an appropriate location for the apartment housing proposed, and the Community Corridor designation.

Settlement of Tribunal Appeals With Brant County Has Essentially Approved the Development Concept for the Site

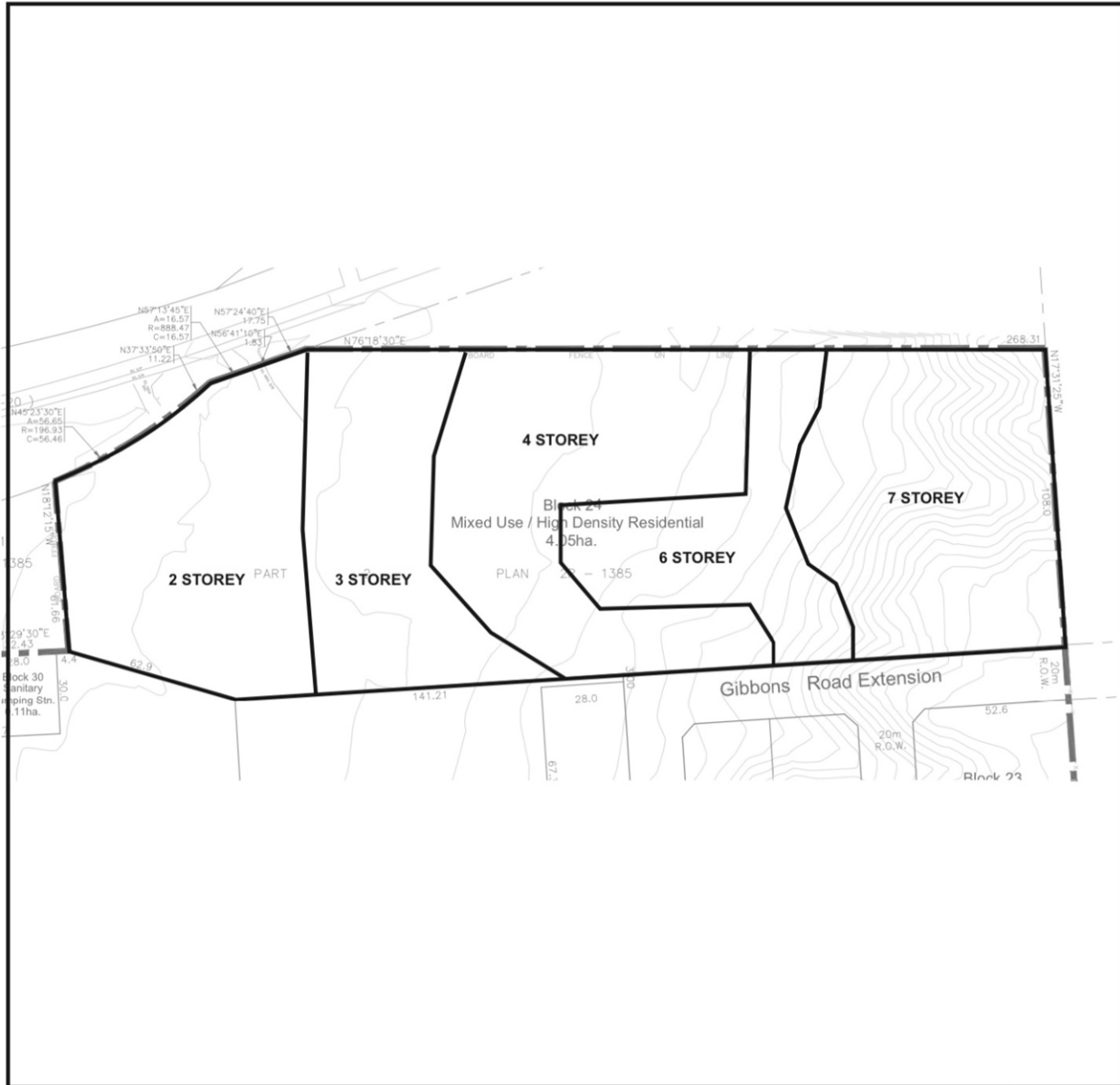
Sifton and Brant County entered into Minutes of Settlement respecting the development of the 305 King Street site on July 27, 2023, on which date the proposed settlement was approved by Council. A copy of the Minutes of Settlement is enclosed with this submission. The proposed settlement will be presented to the Tribunal for its approval at a Settlement Hearing scheduled for September 25, 2023.

Below is the subdivision plan attached to the minutes of settlement.



The settlement addresses the zoning for the site and the plan of subdivision. However, the new Brant County Official Plan requires amendment with respect to Block 24 to permit the apartment building - which was not permitted under the existing “Urban Residential” designation, and is also not permitted under the “Neighbourhood” designation adopted for the lands in the new Brant County Official Plan before the Minister. The requested modification of Block 24 to Community Corridor will permit the development contemplated in the settlement.

Below is the extract from the minutes of settlement illustrating the zoning height permissions for Block 24.



As a result, a modification to the Block 24 lands to a “Community Corridor” designation is required to permit the apartment building, and to ensure that the Official Plan aligns with the settlement respecting the Zoning and Subdivision Plan.

Growth Plan Policies Encourage Compact Urban Form and a Range and Mix of Housing Types, as Proposed for 305 King Street

The proposed development for 305 King Street includes a broad range and mix of housing types, including detached homes, town homes, and apartment units. As such, the proposal reflects Provincial policy.

The Growth Plan for the Greater Golden Horseshoe contains the following:

1.2.1 Guiding Principles

...

- *Support a range and mix of housing options, including additional residential units and affordable housing, to serve all sizes, incomes and ages of households.*

...

2.2.6.1.a) *support housing choice through the achievement of the minimum intensification and density targets in this plan, as well as other policies of this plan by:*

i. Identifying a diverse range and mix of housing options and densities, including additional residential units and affordable housing to meet projected needs of current and future residents;

2.2.7.1. *New development taking place in Designated Greenfield Areas will be planned, designated, zoned and designed in a manner that:*

a) supports the achievement of complete communities;

2.2.7.4 *Councils will support the diversification of the total range and mix of housing options and the achievement of a more compact built form in designated greenfield areas to the horizon of this plan in a manner that is appropriate given the characteristics of the municipality and adjacent communities.*

Based upon the above policies from the Growth Plan, it is clear that the site at 305 King Edward Street represents an ideal opportunity to achieve the provincial policy objectives by allowing for higher density residential development and growth within the designated greenfield area.

Current Provincial Policy Statement Policies Support the Requested Modifications to Support the Development of 305 King Edward Street as Agreed By the Settlement

The Provincial Policy Statement (2020) on land use planning sets out a number of important provincial policy objectives that would be advanced by the approval of the modifications to approve the development at 305 King Edward Street. Some of these include:

1.1.1 Healthy, liveable and safe communities are sustained by:

- a) Promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) Accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment, (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*

1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

The proposal for 305 King Street East reflects the goals in the Provincial Policy Statement, and the modification of the Brant County Official Plan as requested will be consistent with the Provincial Policy Statement.

Brant County Municipal Comprehensive Review Land Needs Assessment Has Ambitious Goals for the Amount of Housing to be Delivered in Apartment Form - The Proposal for 305 King Edward Street Represents an Opportunity to Work Towards that Goal

The Land Needs Assessment for Brant County, that represents the foundation of their Municipal Comprehensive Review process, foresees 23% of future growth being met in the form of apartments. This is an ambitious goal.

According to the County's land needs assessment, the Census data indicates that the number of apartment units in Brant County rose by only 70 in the 20 years from 2001 to 2021. That is a growth rate of only 3.5 new apartment units per year, on average.

The proposal for 305 King Edward Street includes a proposed 124 apartment units in addition to 60 units in a retirement building, for a total of 184 dwelling units. This exceeds all of the County's apartment growth in the past twenty years according to the census.

As such, it represents a positive first step towards Brant County achieving its ambitious goals for apartment unit growth through the future planning horizon.

The table below demonstrates how ambitious those goals for apartment growth are when compared with the prior twenty years of only 70 new apartment units of growth.

Land Needs Assessment Housing Mix By Unit Type Growth to 2051 Plan Horizon

Type of Housing	Growth 2001 to 2021 Brant County LNA 2021-2051	
Grade-related	3,330	5,890
Apartments	70	1,775
Total	3,400	7,665

The above demonstrates that Brant County has a considerable distance to go to achieve their goals for apartment growth - something to which the proposal for 305 King Edward will make a helpful contribution.

Minutes of Settlement Have Addressed Servicing Issues

The Minutes of Settlement between Sifton and the County address the matter of servicing the site, and anticipate that it can be serviced in conjunction with anticipated and planned upgrades and expansions to the necessary municipal infrastructure.

9. The parties further acknowledge that some or all of the development contemplated by the Revised Draft Plan will require the completion of certain planned upgrades and expansions to the County's existing servicing infrastructure. However, it is further acknowledged that (i) there is currently unallocated water and wastewater system capacity in Paris; that (ii) pursuant to the Paris Water/Wastewater Servicing Allocation Policy #DVS-2022-01 ("Allocation Policy"), developments within Paris are allocated servicing capacity on a first come, first served basis as they are preparing to register; and (iii) no development is guaranteed water and wastewater capacity until it is registered. The Parties acknowledge that, based on the foregoing, the Site, or portions thereof, will be considered in good faith by the County for allocation of servicing capacity in accordance with the Allocation Policy, subject to satisfying the applicable conditions.

As such, the proposal will be able to proceed with servicing - including potentially even before planned infrastructure upgrades have been completed.

It will be possible to deliver the anticipated housing in the future - and certainly well before the horizon of the plan.

Proposal for 305 German School Road Will Deliver a Total of at Least 698 Units of Much Needed Housing Supply in a Form that Will Meet Market Needs

The proposed redevelopment of 305 King Edward Street will deliver a minimum of 698 units of much needed housing, including 124 apartment units and 60 retirement residence units . Ontario is in a housing supply crisis. There is a particularly strong demand for housing in safe neighbourhoods in the Greater Golden Horseshoe.

The requested modifications will facilitate the delivery of this much-needed housing to the marketplace on an accelerated basis, providing new homes 698 families, consistent with current provincial policy and priorities.

Province Can Modify the Adopted Plan, or Refer It to The Land Tribunal for a Hearing

Under section 3 of the planning act, the Minister, in carrying out his responsibilities and making planning decisions, must act in conformity with provincial plans (in this case the Growth Plan for the Greater Golden Horseshoe), and consistent with the Provincial Policy Statement on Land Use Planning.

The subject proposal has been the subject of a settlement between the owners and Brant County. A modification to the recently adopted Brant County Official Plan is required to give effect to that settlement.

As a result, we are requesting that the Minister modify the land use designation applicable to Block 24 of 305 King Edward Street to **Community Corridor**. The southern portion of the site should be redesignated to **Natural Heritage System**.

In the alternative, the Minister could refer the matter of the appropriate designation for the lands to the Ontario Land Tribunal for a hearing.

Yours sincerely,



AIRD & BERLIS LLP

Hon. Peter Van Loan
Partner

HV

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