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Date February 5, 2019 **Report No.** 2019-85

To Chair and Members
Committee of the Whole – Community Development

From Paul Moore
General Manager, Community Development

1.0 Type of Report

Consent Item []
Item For Consideration [x]

2.0 Topic **City of Brantford Comments on the Proposed Amendment to the Growth Plan for the Greater Golden Horseshoe [Financial Impact - none]**

3.0 Recommendation

- A. THAT Report 2019-85, City of Brantford Comments on the Proposed Amendment to the Growth Plan for the Greater Golden Horseshoe, BE RECEIVED; and
- B. THAT a copy of Report 2019-85 BE APPENDED to the City's official comments submitted to the Ontario Growth Secretariat at the Ministry of Municipal Affairs and Housing; and
- C. THAT a copy of the City's official comments submitted to the Ontario Growth Secretariat at the Ministry of Municipal Affairs and Housing, including a copy of Report 2019-85, BE FORWARDED to Will Bouma, MPP, Brantford-Brant.

4.0 Purpose and Overview

The purpose of this Report is to advise Council about the proposed amendment to the Growth Plan for the Greater Golden Horseshoe. On January 15, 2019 the

Province issued the proposed amendment (Amendment 1) to the Environmental Registry of Ontario (ERO #013-4504) with a deadline to receive comments by February 28, 2019. This Report provides an overview and Planning Staff's comments regarding the proposed amendment and three related proposals. The related proposals include the proposed framework for Provincially Significant Employment Zones, as well as proposed modifications to regulations made under the *Places to Grow Act* and the *Planning Act* that would implement the proposed amendment. Upon Council's consideration of this Report, formal comments and a resolution of Council will be sent to the Province of Ontario (Ministry of Municipal Affairs and Housing, Ontario Growth Secretariat) regarding the proposed amendment to the Growth Plan for the Greater Golden Horseshoe, also known as "Places to Grow" or simply the "Growth Plan", as the official comments from the City of Brantford.

5.0 Background

On January 15, 2019, the Province of Ontario posted the following proposals to the Environmental Registry of Ontario (ERO) with a 44 day commenting period closing on February 28, 2019:

- Proposed Amendment to the Growth Plan for the Greater Golden Horseshoe, 2017 (ERO #013-4504);
- Proposed Modifications to O. Reg 311/06 (Transitional Matters – Growth Plans) made under the *Places to Grow Act*, 2005 to implement the Proposed Amendment to the Growth Plan for the Greater Golden Horseshoe, 2017 (ERO #013-4505);
- Proposed Framework for Provincially Significant Employment Zones (ERO #013-4506); and,
- Proposed Modifications to O. Reg 525/97 (Exemption from Approval – Official Plan Amendments) made under the *Planning Act* to implement the Proposed Amendment to the Growth Plan for the Greater Golden Horseshoe, 2017 (ERO #013-4507).

The City of Brantford is part of the Greater Golden Horseshoe, subject to the Growth Plan as a single-tier municipality in the "Outer Ring." The Growth Plan establishes population and employment forecasts for the City of Brantford, and provides the overarching strategy for where and how growth should be accommodated while protecting the agricultural system and natural and cultural heritage resources. All City decisions affecting a planning matter must conform

to the Growth Plan, subject to any legislative or regulatory provisions providing otherwise. Such planning matters include for example, the City of Brantford Official Plan and Zoning By-law, amendments and/or variances to the Official Plan and Zoning By-law, plans of subdivision and condominium, and site plans.

The current Growth Plan came into effect on July 1, 2017. It replaced the previous version originally introduced in June 2006 and amended twice. The proposed amendment would be Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, 2017.

6.0 Corporate Policy Context

The proposed Growth Plan amendment is relevant to ongoing City initiatives. The City of Brantford is currently undertaking an Official Plan Review which will result in a new Official Plan that incorporates the Boundary Adjustment Lands annexed to the City from the County of Brant in 2017. The City of Brantford Official Plan is a key policy document that guides where and how the City will grow and intensify at a more localized, municipal level of detail. As noted previously in this Report, the Official Plan must conform to the Growth Plan. The Official Plan Review includes a Municipal Comprehensive Review (MCR) process conducted in accordance with Growth Plan requirements. The MCR process requires the City to undertake various technical studies to support the development of the new Official Plan, including establishing an urban structure to identify strategic growth areas within the municipality, employment land strategy and conversion analysis, housing and intensification strategy, land needs assessment, Settlement Area expansion justification, and refinement of the Natural Heritage and Agricultural systems. These studies collectively comprise the Municipal Comprehensive Review that is approved by the Province through its approval of the Official Plan.

Completing the Official Plan Review is one of the Strategic Actions identified in the Community Strategic Plan to help achieve the following Long-Term Desired Outcomes under the main pillar of “Managed Growth and Environmental Leadership”:

- *“Brantford will be recognized for its environmental stewardship and protection of its natural assets.*
- *Brantford will be known for managing growth wisely, ensuring optimization of its infrastructure while protecting and enhancing our heritage and natural assets.”*

Related Strategic Actions include the review and implementation of the Transportation Master Plan and the Water, Wastewater and Stormwater Master Servicing Plan in conjunction with the Official Plan.

This Report is focused on comments to the Province regarding the proposed Growth Plan amendment. The potential impacts of the proposed amendment on the ongoing Official Plan Review and related city-initiated growth management master plans are discussed further in a separate report: Report 2019-88, Implications of the Proposed Growth Plan Amendment on the City of Brantford Official Plan Review, which will also be considered at the February 5, 2019 Committee of Whole – Community Development meeting. The proposed Growth Plan amendment would be the second amendment to the Growth Plan causing delay to the Official Plan Review work program since the process began in 2013.

7.0 Input From Other Sources

During the past year, Planning Staff have met with the Ministry of Municipal Affairs and Housing's Ontario Growth Secretariat and Western Municipal Services Office to discuss issues and concerns related to Growth Plan, 2017 implementation and the ongoing Official Plan Review, including the City's request for alternative intensification and Designated Greenfield Area density targets. Planning Staff also participated in some Implementation Working Group Sessions hosted by the Ministry. In response to the latest proposed amendment to the Growth Plan, the Province has requested additional meetings with Planning Staff to address concerns related to the impact the proposed amendment may have on the current Official Plan Review process. Planning Staff will continue to engage with the Province to minimize any further disruptions to the work program and to address any implementation or transitional matters in advance of the amended Growth Plan coming into effect. As noted previously, the potential impact of the proposed amendment on the Official Plan Review is outlined for Council's consideration in Report 2019-88, Implications of the Proposed Growth Plan Amendment on the City of Brantford Official Plan Review.

Two days after the proposed Growth Plan amendment had been posted to the Environmental Registry by the Province on January 15, 2019, the City hosted a scheduled Public Information Centre (PIC) on January 17, 2019 regarding the Official Plan Review. At the PIC, the City presented draft land use options for the Boundary Adjustment Lands based on a detailed land needs assessment completed as per Growth Plan requirements. Planning Staff advised that they

would be reporting on the how the proposed Growth Plan amendment may impact the City's progress on the Official Plan Review to Committee of the Whole – Community Development in February. The public also has the opportunity to provide comments directly to the Province in response to the posting by the February 28, 2019 deadline.

8.0 Analysis

City Staff's comments on the proposed Growth Plan amendment and related proposals are organized into the following categories identified in the Environmental Registry posting materials: Employment Planning, Settlement Area Boundary Expansions, Natural Heritage and Agricultural Systems, and Intensification and Density Targets. (The categories of Small Rural Settlements and Major Transit Station Areas are less relevant to the City as Brantford does not contain Rural Settlements or Major Transit Station Areas on a Priority Transit Corridor as defined by the Growth Plan.) Overall, it appears that the proposed Growth Plan amendment would provide greater flexibility to municipalities for meeting the Growth Plan requirements.

8.1 Employment Planning

The proposed Growth Plan amendment would introduce new Provincially Significant Employment Zones and policies to ensure the long-term protection of these Employment Areas.

The Proposed Framework for Provincially Significant Employment Zones identifies 29 potential zones throughout the Greater Golden Horseshoe, including one in Brantford described as "generally surrounding the intersection of 403 Highway and Wayne Gretzky Parkway".

City Staff request that the Province consult further with municipalities prior to finalizing the location of the Provincially Significant Employment Zones.

- The mapping initially provided in the supporting materials posted with the proposed framework is too small to clearly delineate which properties would be included in the proposed zone in Brantford. A link to a more detailed map in the Places to Grow web portal was added to the ERO posting on January 25, 2019. The web map, provided in Appendix A to this Report, shows that the zone includes some but not all of the Braneida North and South Business Parks, generally between Wayne Gretzky Parkway and Garden Avenue, north and south of Highway 403. It is not clear if all properties within

the delineated area, or just those designated and/or zoned for employment form part of the zone.

- The proposed zone does not include all of the land surrounding the Highway 403 and Wayne Gretzky Parkway interchange as suggested in the proposed framework's description, but recognizes that some quadrants of the interchange are subject to a General Commercial land use designation in the current City of Brantford Official Plan and/or are built out with existing commercial uses. Furthermore, the City's draft Official Plan (Version 1, July 2016) identified several properties along Wayne Gretzky Parkway for conversion to non-employment uses to reflect the fact that over time, many properties have already converted to commercial mixed use. These conversions have also been examined through the City's current Municipal Comprehensive Review. Future protection of Provincially Significant Employment Zones should be consistent with the City's planned urban structure and take into consideration the on the ground reality of this corridor.
- Considering the criteria listed in the proposal for establishing the zones, other Employment Areas in Brantford, such as Highway 403 and Oak Park Road or east of Garden Avenue, may also be suited for the long-term protection provided by the Provincially Significant Employment Zone designation. They should be considered as an alternate or additional zone in future discussion with the City prior to finalizing the location of the Provincially Significant Employment Zones.

The role of the Provincially Significant Employment Zones in the proposed policy framework that provides long-term protection of Employment Areas is outlined below:

- Under the Growth Plan currently in effect, the conversion of Employment Areas to non-employment uses, or changes to permit new or expanded opportunities for major retail in Employment Areas, may only occur through the Municipal Comprehensive Review process, subject to criteria in the Plan. This requirement limits the implementation of Employment Area conversions and new or expanded opportunities for major retail in Employment Areas to when a new Official Plan, or a City-initiated Official Plan

amendment that comprehensively updates an existing Official Plan, is approved by the Province under Section 26 of the *Planning Act*.

- The proposed Growth Plan amendment would permit municipalities to convert Employment Areas to non-employment uses, or permit new or expanded opportunities for major retail in Employment Areas, prior to the next Municipal Comprehensive Review, subject to scoped criteria in the Plan, and provided a significant number of jobs are maintained on those lands. This new permission would not apply in proposed Provincially Significant Employment Zones.

The ability to consider some conversions between the effective date of the proposed Growth Plan amendment and prior to the next Municipal Comprehensive Review would provide greater flexibility for municipalities to implement conversions in the short term (i.e. within the next three years), as it is proposed that upper- and single-tier municipalities will be required to bring their Official Plans into conformity with the amended Growth Plan no later than July 1, 2022 (i.e. the next Municipal Comprehensive Review must be complete by that date.) City Staff suggest that the Province clarify proposed Growth Plan policy 2.2.5.10 regarding conversions prior to the next Municipal Comprehensive Review, to indicate that this is a “one-time window” as expressed in the supporting materials posted with the proposed amendment. As noted previously, the City of Brantford is already considering conversions through the Municipal Comprehensive Review process currently underway as part of the ongoing Official Plan Review. In addition, the Province should also clarify if conversions within the Provincially Significant Employment Zones could be considered through a subsequent Municipal Comprehensive Review process approved by the Province as per Growth Plan policy 2.2.5.9.

8.2 Settlement Area Boundary Expansions

The Growth Plan directs population and employment growth to Settlement Areas delineated in Official Plans. Urban development may be permitted within Settlement Area boundaries that may only be expanded through a Municipal Comprehensive Review (MCR). This requirement limits the implementation of Settlement Area expansions to when a new Official Plan, or a City-initiated Official Plan amendment that comprehensively updates an existing Official Plan, is approved by the Province under Section 26 of the *Planning Act*.

The proposed Growth Plan amendment would provide municipalities with new permission to adjust and/or expand Settlement Area boundaries outside of a Municipal Comprehensive Review process, subject to conditions. While this change provides some flexibility to municipalities, more clarification regarding the use of these provisions is needed, as noted below.

- Municipalities would be able to adjust Settlement Area boundaries provided that there would be “no net increase in land” within the Settlement Area. This language indicates that the amount of land added to the Settlement Area would be equivalent to an area of land that would be removed from the Settlement Area. City Staff request that the Province clarify whether the reference to “no net increase in land” in proposed Growth Plan policy 2.2.8.4a) should refer to “developable land” as opposed to simply “land”. City Staff anticipate this provision could be used to adjust the Settlement Area boundary as more detailed technical analyses are completed through the development review process to refine developable area limits.
- Municipalities would also be able to expand Settlement Area boundaries by no more than 40 hectares in advance of a Municipal Comprehensive Review. Among the conditions is proposed Growth Plan policy 2.2.8.5a), which requires “that the lands that are added will be planned to achieve at least the minimum density target in policy 2.2.7.2”. City Staff request that the Province clarify whether or not an alternative density target approved under proposed Growth Plan policy 2.2.7.4 would be applicable in this case. The City of Brantford has already submitted a request for alternative targets under the current Growth Plan. Clarification is also required in regard to when and how many times this permission is to be used.

8.3 Natural Heritage and Agricultural Systems

As of February 9, 2018, all decisions under the *Planning Act* were immediately required to use the provincial Natural Heritage System mapping and Agricultural System mapping for the Greater Golden Horseshoe. Refinements to the provincial mapping can occur only through the Municipal Comprehensive Review process.

If the Growth Plan amendment comes into effect as proposed, the provincial mapping would not apply until it has been implemented in upper- and single-tier Official Plans. Municipalities would be able to refine the provincial mapping in advance of the next Municipal Comprehensive Review, and then once implemented, further refinements would only occur through a future Municipal Comprehensive Review. It should be noted that the City of Brantford is already in the process of refining provincial mapping through the Municipal Comprehensive Review process currently underway as part of the ongoing Official Plan Review, including additional field work.

8.4 Intensification and Density Targets

The proposed Growth Plan amendment lowers the minimum targets for intensification and Designated Greenfield Area (DGA) density that must be established in new or amended Official Plans through a municipal comprehensive review process. As minimum targets, municipalities still have the flexibility to apply higher targets. In regard to the minimum intensification target:

- The Growth Plan currently in effect requires all upper- and single-tier municipalities in the Greater Golden Horseshoe to accommodate the following minimum intensification target:
 - 50% of all new residential development occurring annually is to be located within the delineated Built-up Area in each year until 2031, increasing to 60% by the year 2031 and each year thereafter.
 - Municipalities can request an alternative to the later stage 60% target. Only those municipalities in the Outer Ring such as Brantford can also request an alternative to the earlier stage 50% target. (The Outer Ring is the portion of the Greater Golden Horseshoe outside of the Greater Toronto Area and Hamilton.)
- The proposed Growth Plan amendment would apply different intensification targets to specific groups of municipalities. As it affects Brantford and other smaller cities including Barrie, Guelph, Orillia and Peterborough, as well as the Regions of Durham, Halton and Niagara, the proposed amendment would require a minimum intensification target of 50% of all new residential development

occurring annually to be located within the delineated Built-up Area each year.

In regard to the Designated Greenfield Area (DGA) density target:

- The Growth Plan currently in effect requires all upper- and single-tier municipalities in the Greater Golden Horseshoe to achieve a minimum density target that is not less than 80 residents and jobs per hectare by the year 2041. The City may request an alternative target through the Municipal Comprehensive Review process.
- The proposed Growth Plan amendment would apply different DGA density targets to the same specific groups of municipalities. As it affects Brantford and other smaller cities including Barrie, Guelph, Orillia and Peterborough, as well as the Regions of Durham, Halton and Niagara: not less than 50 residents and jobs per hectare.

The proposed Growth Plan amendment shifts from a “one size fits all” approach to one that recognizes that development characteristics and capacity are not the same in every municipality. The proposed targets that would be applicable to the City of Brantford better reflect the alternative intensification and density target requests that the City of Brantford has submitted to the Province in July and October of 2018. The proposed Growth Plan targets indicate that the Province has heard Planning Staff’s concerns that the current Growth Plan targets are not feasible for Brantford. Achieving Brantford’s requested alternative intensification target would still meet Growth Plan objectives of increasing intensification, and would result in a significantly greater number of residential units developed in Brantford’s delineated Built-up Area in the future when compared to past performance. The requested alternative density target will also result in a more compact urban form and a more diverse housing mix in Brantford.

The proposed Growth Plan amendment continues to allow municipalities to request alternative intensification and DGA density targets through the Municipal Comprehensive Review process. The ability to explore alternative targets is important in order to best consider how local characteristics affect the feasibility of achieving the targets in each municipality. It recognizes the diversity of communities across the Greater Golden Horseshoe that are growing and intensifying at a different pace depending on their local context.

8.5 Other Comments

Planning Staff request that the Province provide in the future, as it has done with past amendments to Provincial plans, a track-changes version of the proposed amendment to facilitate easier and more time-efficient review of the documents.

Planning Staff also request that all Provincial commenting periods be extended to consider standard municipal Council reporting schedules. This extension would allow a more fulsome review and evaluation of potential impacts to be provided in Council endorsed municipal comments.

City Staff request that the Province provide in the future, as it has done with past amendments to Provincial plans, a track-changes version of amendments to facilitate easier and more time-efficient review of the documents.

9.0 Financial Implications

There are no financial implications associated with the recommendations of this Report.

10.0 Conclusion

The proposed Growth Plan amendment provides some positive changes, providing municipalities more flexibility to implement modest Settlement Area boundary adjustments, Employment Area conversions, and refinements to the provincial Natural Heritage System and Agricultural System mapping outside of the Municipal Comprehensive Review process. City Staff have identified some instances where greater clarity regarding the intent of some proposed Growth Plan policy is needed. City Staff also request that the Province consult with municipalities regarding the location and precise limits of proposed Provincially Significant Employment Zones. The new intensification and Designated Greenfield Area density targets proposed in the Growth Plan amendment indicate that the Province has heard the City's concerns that the current Growth Plan targets are not achievable for Brantford, and validate the alternative targets requested from the Province to reflect local characteristics rather than a "one-size-fits-all" approach.



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In adopting this report, is a by-law or agreement required? If so, it should be referenced in the recommendation section.

By-law required ☐ yes ☒ no

Agreement(s) or other documents to be signed by Mayor and/or City Clerk ☐ yes ☒ no

Is the necessary by-law or agreement being sent concurrently to Council? ☐ yes ☒ no

Appendix A: Map of the Proposed Provincially Significant Employment Zone in Brantford

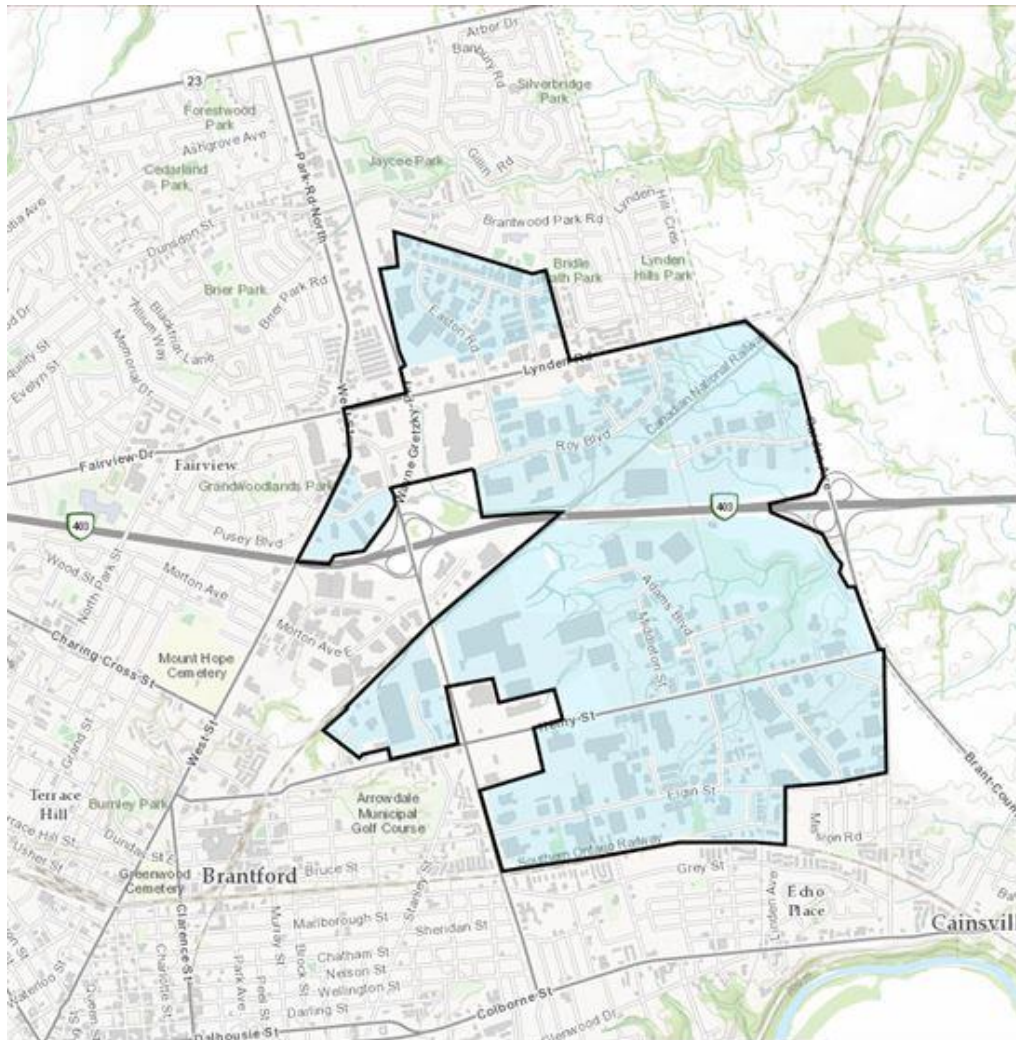


Figure 1 Proposed Provincially Significant Employment Zone in Brantford

This map is an excerpt from the [Places to Grow web portal](https://www.placestogrow.ca/AGOL/AccessibleViewer/?appid=a3c8538141df4cb7ab2e9b02345503fb).¹

¹ The Places to Grow web portal can be viewed at <https://www.placestogrow.ca/AGOL/AccessibleViewer/?appid=a3c8538141df4cb7ab2e9b02345503fb>