
Subject: High Level Official Plan Process Framework

Report to: Planning and Economic Development Committee

Report date: Wednesday, November 29, 2017

Recommendations

1. That the New Official Plan Process Framework, as set out in this report, **BE ENDORSED** for the purpose of initiating the New Regional Official Plan process.
2. That this report **BE CIRCULATED** to the Clerks of the Local Area Municipalities.

Key Facts

- The purpose of this report is to seek Council's endorsement of the Official Plan Process Framework.
- The New Regional Official Plan (ROP) is a long range policy document that provides comprehensive policy direction and inter-related policies.
- The New ROP represents the opportunity to create a concise, "more user friendly", contemporary document that: provides guidance to local municipalities; ensures the Regional mandate (interests) are comprehensively applied; and achieves conformity with provincial plans in order to achieve great development.
- As set out in this report, the New ROP will be completed in sections in alignment with the outlined engagement profile but will be formally adopted by By-law as one integrated comprehensive document.
- The development of the New ROP will require constant consultation with local municipal partners, who will need to implement the Plan at the local level, as well as the Province representing the ultimate approval authority of the Plan.
- The New ROP will need to be informed by the completion of numerous interrelated background studies.
- Area Planners received a power point presentation on the New ROP development framework on October 27, 2017.

Financial Considerations

The completion of the necessary Background Studies will require the combination of significant staff and consulting resources over the next two to three years. Council approved the resources to complete the New Official Plan over the next 5 years as part of the 2017 Budget Process.

Analysis

Background

Ontario's *Planning Act* (S. 26) requires municipalities to undertake regular reviews (five or ten year reviews) of their Official Plans to align with Provincial requirements. The Act requires alignments be achieved in the following areas:

- Conformity/Consistency with Provincial Plans (Places to Grow; Greenbelt, NEC, Provincial Policy Statements)
- Alignment with the goals of the Planning Act

A New ROP will be an essential Council land use policy document for a planning horizon to 2041. An updated ROP will align with new Provincial Policy and with Regional objectives. It will also provide policy guidance on emerging matters such as a comprehensive regional employment strategy and climate change.

Approved in 1973, first as the Regional Policy Plan, the current ROP) has not been comprehensively updated. The historical structure of the ROP never contemplated the comprehensive long range planning guidance required by the contemporary Provincial planning requirements. A New ROP that reflects Provincial Policy and up-to-date current planning practice will reduce the risk to the development community and allow the local Official Plans to be brought up to date.

By approval of Report PDS 40-2016, Council endorsed the approach of the preparation of a New ROP from start to finish rather than a series of site specific topic amendments. The New ROP will be processed under Section 26 of the *Planning Act*.

Key Official Plan Objectives

The key objectives of the New Official Plan in terms of structure and content are to:

- Promote and achieve great development outcomes.
- Be more user friendly for the public, stakeholder groups, consultant, staff and Council.
- Be more concise and provide clearer policy guidance where necessary and latitude where appropriate.
- Address Provincial requirements, Regional interests and provide guidance to the Local Area Municipalities.

Assigning Resources and Work Program

At the end of July 2017, the Official Plan-Policy Consultant (staff) began working with the Community and Long Range Planning Division.

Among the first steps examined was to ensure needed background studies would be completed to properly inform the preparation/writing of the New ROP and address the requirements of the 2017 Provincial Growth Plan.

The background studies/strategies identified as a priority to complete are the Regional Land Needs Assessment, the Regional Employment Strategy, the Regional Urban Structure and the Regional Housing Strategy. These studies were initiated as part of the MCR (except for the Regional Housing Strategy), but were been put on hold pending the Provincial Coordinated Provincial Plan Review which is now complete. The goal is to substantially complete these studies by Q2 2018.

Background studies will be developed in consultation with municipal partners and receive input from stakeholders. Key components associated with each of these Background Studies are as follows:

Regional Land Need Assessment

The Regional Land Needs Assessment will determine the amount of developable urban land required for residential and employment purposes. It will also identify any excess lands – that being lands that will likely not be develop by 2041. Guidance from the Province for this is expected by Q1 2018.

Regional Employment Lands Strategy

The Regional Employment Lands Strategy will ensure there are sufficient population based employment lands to serve the growing regional population as well as sufficient marketable areas for traditional industrial employment. It is Important to identify Regional Employment Areas - being areas of business and economic activity for long term employment development which are to be protected from conversion. The strategy will also ensure sufficient supply of lands for employment purposes and ensure employment areas are marketable for their intended purpose.

Regional Urban Structure

The Regional Urban Structure will identify important strategic growth nodes within the region to 2041 and assign population and density accordingly. For example, strategic growth targets will be established for downtown St. Catharines which is identified in the Growth Plan as an Urban Growth Centre.

Regional Housing Strategy

The Regional Housing Strategy is intended to ensure a proper housing mix in terms of housing forms over the planning horizon of the New ROP to provide choice, aging in place opportunities and affordability. This will involve setting affordable housing targets and establishing tools to support affordable housing.

Priority Background Studies/Strategies – Resource & Environment Related

Natural Heritage & Water Systems Planning

Natural Heritage and Water Systems planning will be a significant component of the New ROP to meet Provincial policy direction. Protecting significant natural features (woodlots and wetlands for example), and water courses, as defined by the Province with appropriate clear policy application is a critical component of the Provincial planning framework. Watershed Planning is another requirement of the Provincial framework which will further ensure water resources and issues like storm water management are properly addressed.

This work will be supported by consultant services and will include the assessment of natural heritage and water systems options for policy and mapping and establish criteria for provincial compliance.

Agriculture Study

Agriculture is a primary component of the region's economy and the protection of the regions unique land base is reflected in Provincial planning documents. An Agricultural Study will with consultant support for specific policy areas, such as for agricultural-related and on-farm diversified uses. The intent will be to ensure conformity with Provincial planning documents and while supporting the interest of the local agricultural industry.

Aggregate Resources

Many types of aggregates resources are located throughout the region - these resources are essential to the economy. The extraction of the resource necessary while at the same time addressing land use compatibility. An amendment to update Aggregate Resource policies in the ROP was initiated through Imagine Niagara and will now be carried forward as a section of the New ROP.

Climate Change

Much of the direction, whether indirectly or directly of the 2017 Growth Plan has a foundation in responding to climate change. The Growth Plan's focus on public transit supportive densities, complete communities, multi-modal transportation, complete streets, watershed planning and natural heritage protection are related to climate change. Climate change guidance will be integrated throughout the New ROP, such as watershed planning and low impact development standards as well assessing obligations and options on the region's role relative to greenhouse gas emission targets.

Important Planning Act Considerations

Bill 73, *Smart Growth for Our Communities Act*, came in to force and effect on July 1, 2017. When a New ROP is passed, no privately-initiated applications to amend it will be permitted for 2 years, unless supported by the municipality. This means a Council resolution is required to accept a privately initiated Amendment.

Bill 139, *Building Better Communities and Conserving Watersheds Act*, has obtained Second Reading in the Ontario Legislature. Proposed new sections to the *Planning Act* will eliminate the ability to appeal an Official Plan or Official Plan Amendment adopted in accordance with Section 26 of the *Planning Act*, if the approval authority is the Minister.

Engagement Profile

Engagement will be important component in all aspects of the Official Plan including the completion of Background Studies/Strategies. Appendix 1 lists Engagement Profile Points and Considerations to be considered during the development of further Background Studies/Strategies and Official Plan sections.

Alternatives Reviewed

There are various alternative approaches to completing the Official Plan in terms of Background Studies and Official Plan sections. Staff's recommended approach is to complete the New Official Plan in sections for endorsement and then integrate endorsed Sections into a comprehensive document approval. This is much more efficient and avoids numerous opportunities for appeal and confusion.

It is noted that the process for preparing an Official Plan is fluid and issues arise which change priorities and possibly the framework.

Relationship to Council Strategic Priorities

A New ROP will assist in implementing Council's Strategic Priority of Innovation, Investment, & Entrepreneurship.

Other Pertinent Reports

PDS 40-2016: Regional Official Plan Update
PDS 41-2016: Coordinated Policy Review Proposed Revisions
PDS 15-2017: Bill 73 Planning Act Changes

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Appendices

Appendix 1 Engagement Profile

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