

MEMO / NOTE DE SERVICE



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TO: Chairs and Members of the Planning Committee and Agriculture and Rural Affairs Committee

DESTINATAIRE : Présidents et membres du Comité de l'urbanisme et du Comité de l'agriculture et des affaires rurales

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20 juin 2016

FILE NUMBER: ACS2016-PAI-PGM-0113

**SUBJECT: Work Program to Complete Official Plan Amendment 150**

**OBJET : Programme de travail pour achever la modification n° 150 au Plan officiel**

**PURPOSE**

The purpose of this memorandum is to advise Planning Committee and Agriculture and Rural Affairs Committee of the work program to provide the information and material requested by the Ontario Municipal Board (OMB) to permit the outstanding appeals of Official Plan Amendments 140, 141 and 150 to be addressed. The work program will

culminate in a single Official Plan amendment that likely will make changes to the Agricultural Resource Area and Employment Area designations, as well as the planning time-frame for the City's Official Plan.

## BACKGROUND

Official Plan Amendment 150 (OPA) was unanimously adopted by Council at the conclusion of the review of the Official Plan (OP) in 2013. OPA 140 made technical corrections to OPA 150. OPA 141 made other changes to the OP not associated with OPA 150. All these amendments were appealed.

On February 23, 2016, the OMB issued its decision on the motions made by the appellants, the Taggart Group of Companies and Walton Development and Management LP, which requested that the OMB repeal OPAs 140, 141 and 150 in their entirety.

The OMB member concluded the three OPAs should not be dismissed, but did agree that the update of the City's Land Evaluation and Area Review (LEAR) and the completion of the second Employment Land Review (ELR) that were underway should be completed before the OMB heard the detailed appeals.

The OMB also strongly suggested that the City should reconsider the "Planning Horizon" of the OP, suggesting a horizon of 2036 would be more consistent with the 2014 Provincial Policy Statement.

The OMB's decision binds the implementation of the LEAR and the ELR together as incomplete parts of OPA 150. It also requires that an OPA to implement the findings of these reviews, and any change to the planning horizon to 2036, be considered under Section 26 of the *Planning Act* as part of a comprehensive review.

The LEAR, ELR and the updated projections are anticipated to require changes to the City's OP. Staff recommend that these changes be implemented through a joint OPA. Council's decision on any changes flowing from this additional work will require approval by the Minister of Municipal Affairs and Housing before proceeding to the OMB.

The City Solicitor will advise the OMB of the proposed amendment and arrange hearing dates for OPAs 140, 141 and 150, and any new appeals to the joint amendment resulting from this work program. The components and timing of this program are shown in a diagram contained in Document 1.

## DISCUSSION

The three components of the work program and the potential changes are outlined as follows:

### 1. LEAR

The working group for the LEAR was reconstituted in December 2015 and is currently finalizing criteria. The review of the new LEAR mapping, the validation of the LEAR ranking of lands and the identification of the City's prime agricultural area will begin in July 2016.

Consultation on the draft LEAR criteria and the mapping will commence in the summer and extend into the early fall of 2016. This consultation will provide land owners with a heads up on the results of the revised LEAR and where to find information. The results will be made public using interactive mapping on the City's website. A representative of the Ministry of Agriculture, Food and Rural Affairs is a member of the LEAR Working Group. The Ministry must agree to the final LEAR and will be consulted on any proposed changes to the Agricultural Resource Area designation.

The new Ottawa LEAR and related amendments to the OP are planned to be brought forward to Agriculture and Rural Affairs Committee and Planning Committee in October and November, respectively, and to Council for final adoption in December 2016. A special meeting of Agriculture and Rural Affairs Committee may be required.

### 2. Employment Land Review

Consultants were retained to review the City's Employment Lands in Q3 2014 and their draft study is currently under review. Staff will bring the final study and identified OPAs to Planning Committee in September. The amendments are anticipated to include changes to Employment Area policies, the re-designation of some Employment Area and Enterprise Area land to other uses, amendments to General Rural policies and the addition of a new Rural Employment Area designation.

The current OP projects total employment within the city to the year 2031. This planning period has been used as the basis for the recommendations in the consultant's draft report for the Employment Land Review. As the City is now also considering a new 2036 planning horizon (see Planning Horizon below) the consultants will review their recommendations and either confirm them or make any necessary changes once the 2036 employment projection becomes available.

### 3. Planning Horizon

The determination of the appeals to OPAs 140, 141 and 150 are not likely to be completed by the OMB before 2018. Therefore, staff have considered the suggestion of the OMB member to extend the planning horizon of the OP to 2036. This will avoid the need for the City to initiate a comprehensive review immediately following the OMB's determination of the appeals to maintain a 10-year supply of residential land, at all times, as stipulated by the Provincial Policy Statement.

Staff are currently collecting the information required to develop the projections and to assess land supply needs beyond 2031. The draft recommendations of the ELR include the conversion of some employment land to permit residential and other uses, which increases the land supply inside the current urban boundary. Part of the need for residential uses will be analyzed through the household projections and the existing supply. The detailed work on the population, household and employment projections and the land supply for all uses will be undertaken and confirmed over the next six months.

Consultation with the development industry and the community on the revised population, household and employment projections will be undertaken in September, with recommendations coming forward to Planning Committee and Council in Q4 2016.

### 4. Joint Official Plan Amendment

OPAs from LEAR, ELR, and the 2036 planning horizon will be incorporated into a single OPA. LEAR and the 2036 planning horizon are anticipated to be completed near the same time in Q4 2016. Although the Employment Lands Review will be mostly completed in September 2016, the recommendations from this review have to be reconfirmed vis-à-vis the new 2036 employment projection, which cannot occur until the 2036 planning horizon work has been completed. In addition, the need for the employment land conversion recommendations will be assessed, in part, through the 2036 household projection and land budget analysis.

The three groups of changes that will be proposed to the OP are considered by the OMB to be part of the City's 2013 Comprehensive Review under Section 26 of the *Planning Act*. The changes adopted by Council therefore need to be reviewed and approved by the Minister of Municipal Affairs and Housing. To simplify and streamline this process staff will bring forward a comprehensive amendment that combines the necessary OPAs from LEAR, ELR and the 2036 planning horizon work.

The joint OPA will be subject to a 28-day technical and public circulation before the Public Meeting under the *Planning Act*, anticipated to be held in Q4 2016. After Council adoption (expected by the end of Q4 2016 or early in 2017) the joint amendment will be forwarded for approval to the Minister of Municipal Affairs and Housing. The Minister's approval could take a number of months although staff will pre-consult with the Ministry to reduce the review time as much as possible.

## CONCLUSION

The work program outlined above and graphically depicted in Document 1 anticipates that a combined amendment to the OP will come before Agriculture and Rural Affairs and Planning Committee and will be adopted by Council in December 2016 or early January 2017. The amendment will modify the planning horizon of the OP to 2036, update the employment area policies, change the designation of some Employment and Enterprise Area land, and will possibly include changes to the City's Agricultural Resource Area. The draft amendment will be subject to a 28-day technical and public circulation before the public meeting as required under the *Planning Act*. The joint amendment will require Ministry approval, which will occur in 2017.

*Original signed by*

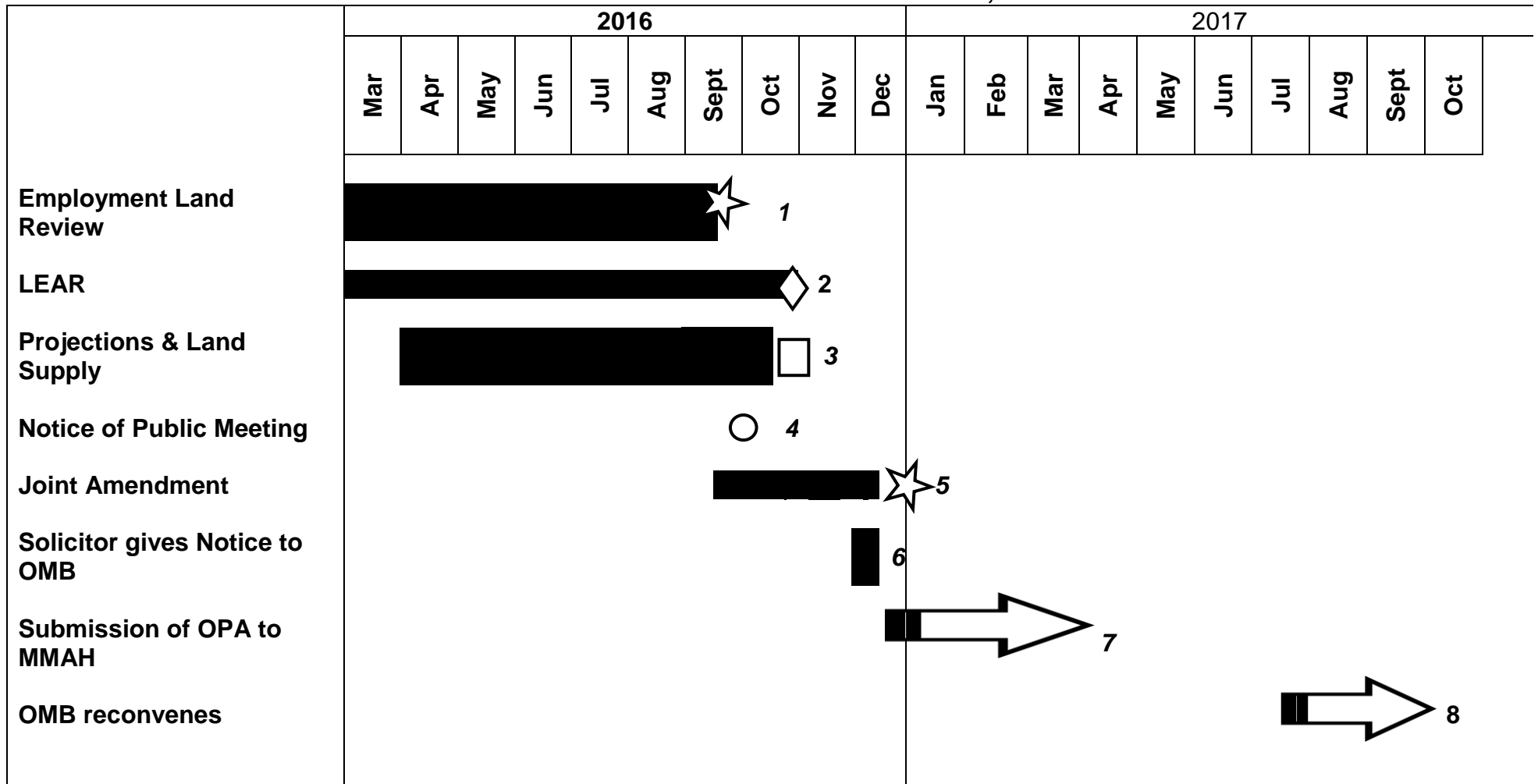
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cc: John Smit, Acting Manager, Policy Development and Urban Design

**DRAFT WORK PROGRAM Timeline for OPAs 140, 141 and 150**



- Notes**
- 1 PC/Council receives Employment Lands Study and proposed draft changes to the Official Plan
  - 2 ARAC/PC receives new LEAR system and proposed draft changes to the Official Plan
  - 3 PC receives Population and Housing Projections to 2036 and proposed draft changes to the Official Plan
  - 4 Notice of Public Meeting scheduled to meet transition rules for Bill 73
  - 5 Technical Circulation, Public Meeting and Council adoption of joint Official Plan amendment
  - 6 Solicitor gives notice to the OMB of the joint amendment and requests OMB to reconvene
  - 7 Ministerial Review (assumes 90 days maximum to give notice of approval).
  - 8 OMB pre-hearing to set dates for remaining appeals with OPAs 140, 141 and 150 and joint amendment