



OAKVILLE

March 8, 2018

The Honourable Kathleen Wynne  
Legislative Building  
Queen's Park  
Toronto ON M7A 1A1

**Subject: In Consideration of Protecting Water for Future Generations: Growing the Greenbelt in the Outer Ring**

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At its meeting on February 26, 2018, Oakville Town Council approved the following resolution with respect to the subject item noted above:

*WHEREAS the Greenbelt is an integral component of land use planning in the Greater Golden Horseshoe, complementing the Growth Plan to encourage smart planning, the reduction of sprawl, protection of natural and hydrological features and agricultural lands; and*

*WHEREAS the Province's Advisory Panel chaired by David Crombie recommended that the Greenbelt grow to address the protection of areas of critical hydrological significance, such as key headwaters; and*

*WHEREAS the Province's current study area for Greenbelt expansion has prematurely omitted areas under the most direct threat of development, known as the 'whitebelt' which is neither in the Greenbelt nor in the urban settlement area that contain such critical areas; and*

*WHEREAS a fulsome study of all potential Greenbelt expansion areas should be undertaken as part of this review in order to make the best, most consistent land use planning decisions across the Greater Golden Horseshoe;*

*THEREFORE BE IT RESOLVED,*

*THAT the Town of Oakville commend the province for continued action toward growing the Greenbelt through the current consultation process; and*

*THAT the province be strongly urged to extend the study area for Greenbelt expansion to include the whitebelt lands within the inner ring, lands that are the most immediately vulnerable to development in the province; and*

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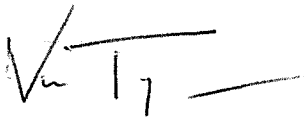
March 8, 2018

**Subject: In Consideration of Protecting Water for Future Generations: Growing the Greenbelt in the Outer Ring**

*THAT the province expeditiously grow the Greenbelt by incorporating appropriate whitebelt lands within the inner ring to protect our limited freshwater and natural heritage features including headwaters not currently protected; and THAT this resolution be distributed to the Premier of Ontario, the Minister of Municipal Affairs, all Greater Golden Horseshoe municipalities, the Association of Municipalities of Ontario, Environmental Defence, Friends of the Greenbelt Foundation, the Ontario Greenbelt Association, Ontario Nature, Earth Roots, Eco Spark, and Save the Oak Ridges Moraine (STORM).*

Should you have any questions regarding this matter or should you require additional information, please contact me at 905-845-6601, extension 2003, or email [vicki.tytaneck@oakville.ca](mailto:vicki.tytaneck@oakville.ca).

Yours truly,

A handwritten signature in black ink, appearing to read 'V. Tytaneck', with a horizontal line extending to the right.

Vicki Tytaneck  
Town Clerk

- c. Minister of Municipal Affairs
  - Greater Golden Horseshoe Municipalities
  - Association of Municipalities of Ontario
  - Environmental Defence
  - Friends of the Greenbelt Foundation
  - Ontario Greenbelt Association
  - Ontario Nature
  - Earth Roots
  - Eco Spark
  - Save the Oak Ridges Moraine (STORM)
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## Office of the Chair

**Sent by e-mail**

March 7, 2018

Resolution Number 2018-121

The Honourable Bill Mauro  
Minister of Municipal Affairs  
777 Bay Street, 17th Floor  
Toronto, ON M5G 2E5

The Honourable Kathryn McGarry  
Minister of Transportation  
3rd Floor, Ferguson Block  
77 Wellesley Street West  
Toronto, Ontario M7A 1Z8

Dear Ministers:

**Subject: Sustainable Transportation Strategy and Five-Year Implementation Plans**

I am writing to advise that Regional Council approved the following resolution at its meeting held on Thursday, February 22, 2018:

**Resolution 2018-121:**

That the Region of Peel's Sustainable Transportation Strategy and its associated five-year implementation plans, be approved;

And further, that the Director of Transportation be delegated the authority to execute both the Service Delivery agreement with Metrolinx and the Funding Agreement with three Transportation Management Associations (Smart Commute Mississauga, Smart Commute Brampton-Caledon, and Smart Commute Pearson Airport Area) in the Region of Peel, to be renewed as required;

And further, that a copy of the joint report of the Commissioners of Public Works and Health and the Medical Officer of Health, titled "Sustainable Transportation Strategy and Five-Year Implementation Plans", be forwarded to the City of Brampton, City of Mississauga, City of Toronto, Credit Valley Conservation Authority, Dufferin-Peel Catholic District School Board, Halton Region, Metrolinx, Peel District School Board, Toronto and Region Conservation Authority, Town of Caledon, York Region, Ontario Ministry of Transportation, Ontario Ministry of Municipal Affairs, and the Building Industry and Land Development Association for their information.

A copy of the report is provided for your information.

Frank Dale  
Regional Chair and Chief Executive Officer

FD:ms

Also sent to:

Peter Fay, City Clerk, City of Brampton  
Diana Rusnov, City Clerk, City of Mississauga  
Carey deGorter, General Manager, Corporate Services/Town Clerk, Town of Caledon  
Uli S. Watkiss, City Clerk, City of Toronto  
Deborah Martin-Downs, Chief Administrative Officer, Credit Valley Conservation Authority  
Mario Pascucci, Chair, Dufferin-Peel Catholic District School Board  
Karyn Bennett, Regional Clerk, Halton Region  
Phil Verster, President and Chief Executive Officer, Metrolinx  
Janet McDougald, Chair, Peel District School Board  
Brian Denney, Chief Administrative Officer, Toronto and Region Conservation Authority  
Denis Kelly, Regional Clerk, York Region  
Darren Steedman, Chair, Building Industry and Land Development Association

cc: Gary Kocialek, Director of Transportation, Public Works, Region of Peel

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DATE: February 14, 2018

REPORT TITLE: **SUSTAINABLE TRANSPORTATION STRATEGY AND FIVE-YEAR IMPLEMENTATION PLANS**

FROM: Janette Smith, Commissioner of Public Works  
Nancy Polsinelli, Commissioner of Health  
Jessica Hopkins, MD MHSc, CCFP FRCPC, Medical Officer of Health

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## **RECOMMENDATIONS**

**That the Region of Peel’s Sustainable Transportation Strategy and its associated five-year implementation plans, be approved;**

**And further, that the Director of Transportation be delegated the authority to execute both the Service Delivery agreement with Metrolinx and the Funding Agreement with three Transportation Management Associations (Smart Commute Mississauga, Smart Commute Brampton-Caledon, and Smart Commute Pearson Airport Area) in the Region of Peel, to be renewed as required;**

**And further, that a copy of the joint report of the Commissioners of Public Works and Health and the Medical Officer of Health, titled “Sustainable Transportation Strategy and Five-Year Implementation Plans”, be forwarded to the City of Brampton, City of Mississauga, City of Toronto, Credit Valley Conservation Authority, Dufferin-Peel Catholic District School Board, Halton Region, Metrolinx, Peel District School Board, Toronto and Region Conservation Authority, Town of Caledon, York Region, Ontario Ministry of Transportation, Ontario Ministry of Municipal Affairs, and the Building Industry and Land Development Association for their information.**

## SUSTAINABLE TRANSPORTATION STRATEGY AND FIVE-YEAR IMPLEMENTATION PLANS

### REPORT HIGHLIGHTS

- The Sustainable Transportation Strategy (the Strategy) is an action plan that outlines the Region of Peel's roles and responsibilities to significantly increase the proportion of trips made by sustainable transportation modes: walking, cycling, transit, carpooling and trips avoided through teleworking.
- The strategy includes a target of 50 per cent of peak period trips made by sustainable transportation modes in the Region by 2041 (referred to as "mode share target"). This represents an approximate 13 per cent increase from current conditions, and is aligned with the upcoming Long Range Transportation Plan update.
- More than 50 actions are recommended in the Strategy. These actions are operationalized in the Active Transportation Five-Year Implementation Plan and Transportation Demand Management Five-Year Implementation Plan. These actions will improve mobility, community health, the natural environment, and transportation system performance.
- The Region will seek to increase its funding for Smart Commute Transportation Management Associations in conjunction with local municipalities and Metrolinx, as well as through the annual budgeting process.
- The investment to implement the programs and projects recommended in the Strategy to 2041 is estimated to be \$207 million for active transportation infrastructure, plus \$1.8 million annually for non-infrastructure related active transportation and demand management programs.
- The appropriate allocation of funding sources to implement the Sustainable Transportation Strategy will be presented through the 2018 Development Charges Background Study and the annual budgeting process.

## DISCUSSION

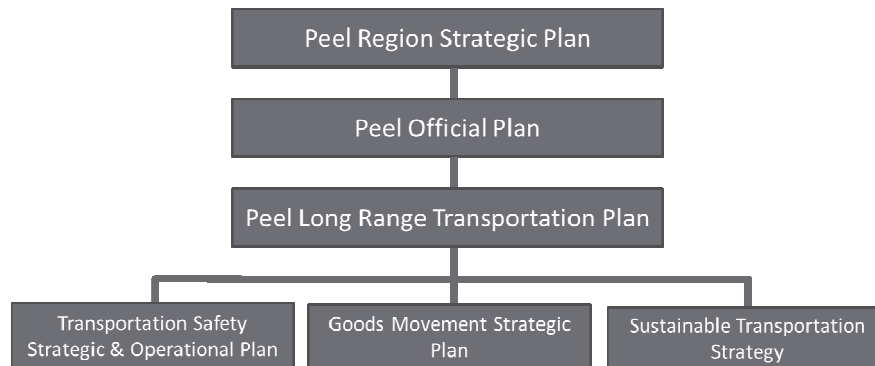
### 1. Background

The development of the Sustainable Transportation Strategy (the Strategy) was initiated in 2016 to address long-term transportation needs, while taking into consideration the environmental, social, economic, and health impacts of the transportation system. Through a collaborative process, the Strategy identifies the Region of Peel's roles and responsibilities relating to 'sustainable' transportation modes - walking, cycling, carpooling, transit, and teleworking.

Managing growth in the Region requires new and innovative solutions to meet future needs. The expected population increase of 40 per cent in Peel by 2041 and the increased demand on the transportation system cannot be accommodated by solely increasing roadway capacity. Shifting to sustainable modes of travel such as walking, cycling, and using public transit allow physical activity to be incorporated into daily activities while also reducing vehicle emissions and its associated health impacts of poor air quality, as well as contribute to climate change mitigation. Physical inactivity has well-established health implications, including the development of chronic diseases, such as cardiovascular disease and diabetes.

## SUSTAINABLE TRANSPORTATION STRATEGY AND FIVE-YEAR IMPLEMENTATION PLANS

Figure 1: Sustainable Transportation Strategy is a component and implementation plan of the ongoing Long Range Transportation Plan Update



The Strategy is aligned with the Region of Peel’s Strategic Plan - Term of Council priorities and 20-year outcomes. These include the promotion of healthy and age-friendly built environments, the promotion of mobility, walkability and various modes of transportation (“Thriving”) and trusting that sustainability and long-term benefits to future generations are considered (“Leading”).

A copy of the Sustainable Transportation Strategy, along with the Active Transportation Five-Year Implementation Plan and the Transportation Demand Management Five-Year Implementation Plan, are available at the Office of the Regional Clerk for viewing. The executive summary of the Strategy is attached in Appendix I.

## 2. Developing the Sustainable Transportation Strategy

### a) Mode Share Target and Analysis

The demands of growth on the transportation system cannot be met by solely building new and widening roads. Therefore, the Strategy identifies solutions that enable and encourage the development of a transportation system where 50 per cent of peak period trips are made by sustainable transportation modes. Shifting to sustainable modes of travel (e.g. walking, cycling, and public transit) will help to increase daily physical activity, reduce vehicle emissions, and improve health outcomes. This proposed mode share target is shared with the upcoming Long Range Transportation Plan update.

The 50 per cent sustainable transportation mode share target for 2041 represents an approximate 13 per cent increase from current conditions. It is well aligned with the local municipalities’ mode share targets where they have been established, such as in the City of Brampton Transportation Master Plan’s goal for 50 per cent non-single occupancy vehicle modes by 2041, the City of Mississauga’s aim to double current transit mode share by 2049, and the Town of Caledon Transportation Master Plan’s vision to offer multimodal choices. Figure 2 shows the current mode shares in the Region by mode, as well as the 2041 targets. The breakdown by municipality is provided in Appendix II:

**SUSTAINABLE TRANSPORTATION STRATEGY AND FIVE-YEAR IMPLEMENTATION PLANS**

*Figure 2: AM Peak Period Mode Share – Current Conditions and 2041 Vision*

Mode	Peel Region	
	Now (%)	2041 (%)
Driving Alone	62.4%	<b>49.7%</b>
<b>Sustainable Transportation Modes:</b>		
Walking	6.8%	<b>9.1%</b>
Cycling	0.3%	<b>2.0%</b>
Transit	10.9%	<b>17.0%</b>
Carpool	15.3%	<b>17.9%</b>
Other*	4.3%	<b>4.3%</b>
<b>Sustainable Transportation Total</b>	37.6%	<b>50.3%</b>
Total	100%	100%

Notes: 2011 data was chosen to represent current mode share because it is based on the most recent Transportation Tomorrow Survey data.

\*Other modes: Includes school bus trips, with a few taxi and motorcycle trips.

The 50 per cent sustainable transportation mode share target for 2041 is not applied uniformly across the Region, but based on a context specific approach. Peel’s varying geographies, land uses, community contexts, and targeted intensification areas enable some communities to have a greater potential for mode shift than others. Analysis was undertaken to identify communities with greater potential for mode shift. The factors used to determine this potential varied by mode, including those shown in Figure 3:

*Figure 3: Sample of factors used to determine feasibility of sustainable mode shift*

Walking/Cycling	<ul style="list-style-type: none"> <li>• Higher than average existing walking/cycling mode share</li> <li>• Higher population density</li> <li>• Higher proportion of short trips</li> <li>• Mix of residential and employment land uses</li> </ul>
Transit	<ul style="list-style-type: none"> <li>• Competitive transit vs. auto travel time</li> <li>• Location of planned transit investments</li> </ul>
Carpooling	<ul style="list-style-type: none"> <li>• Existing carpooling mode split above 5 per cent</li> <li>• Limited availability of transit service</li> <li>• Below average car ownership rate</li> </ul>
Telework	<ul style="list-style-type: none"> <li>• Higher than average commuting distance</li> <li>• Higher number of office/professional occupations</li> </ul>

Based on the factors above, traffic zones were assigned a score to indicate their potential for mode shift. Areas with higher potential for mode shift were identified as areas of focus for the Strategy’s recommendations, such as pedestrian improvement areas, new cycling infrastructure, and priority communities for Transportation Demand Management social marketing programs.



## SUSTAINABLE TRANSPORTATION STRATEGY AND FIVE-YEAR IMPLEMENTATION PLANS

Based on research conducted by staff, the Cities of Vancouver and Toronto have achieved a 50 per cent sustainable mode share, the City of Montreal has a target of 55 per cent of trips by sustainable modes by 2020 and the City of Ottawa aims to achieve 50 per cent sustainable mode share by 2031.

### b) Consultation and Partnerships

The Strategy was developed in collaboration with partners and stakeholders to ensure it reflects a breadth of expertise, and provides a strong foundation to support its recommendations. Establishing partnerships with stakeholders was a goal of the consultation process, as the 50 per cent sustainable mode share target cannot be achieved solely with the Region of Peel's initiatives. These partners and stakeholders include:

- Local municipalities (City of Brampton, City of Mississauga, Town of Caledon)
- Transit agencies (Brampton Transit, MiWay)
- Metrolinx (i.e. relating to transit, carpooling, Smart Commute)
- Conservation Authorities (Credit Valley Conservation Authority, Toronto and Region Conservation Authority)
- Other partners and stakeholders (e.g. Greater Toronto Airport Authority)

The online survey from Let's Move Peel garnered 767 responses from December 2016 to March 2017. Respondents ranked their priorities for sustainable transportation. The top four priorities identified were:

1. Transit
2. Travel Efficiency (i.e. *make efficient use of existing infrastructure to manage congestion without adding lanes*)
3. Walking
4. Cycling

### c) Business Case for Sustainable Transportation

The Sustainable Transportation Strategy includes a business case for sustainable transportation, based on quantitative and qualitative evidence that support the wide ranging impacts of achieving the proposed mode share target. The societal benefits and costs of the transportation system are important to realizing Peel's Strategic Plan vision. The following are highlights of the business case analysis, which compared the benefits and costs of reaching a sustainable mode share target of 50 per cent by 2041, versus the continuation of existing mode share trends by 2041. The calculation of these benefits and costs were based on indicators established in Metrolinx business cases - as follows:

- \$400 million annual savings in cost of congestion due to lost productivity and personal delay
- \$80 million annual savings in costs related to carbon dioxide (CO<sub>2</sub>) emissions
- \$262 million annual cost benefit of the health impacts of increased walking and cycling

## SUSTAINABLE TRANSPORTATION STRATEGY AND FIVE-YEAR IMPLEMENTATION PLANS

As indicated above, benefits and cost savings through the implementation of the Sustainable Transportation Strategy contribute to the reduction of Federal and Provincial spending on climate change mitigation and reduction in health care expenses. Therefore, there is a strong rationale for the Federal and Provincial governments to provide additional funding opportunities to support sustainable transportation infrastructure and programs.

### d) Smart Commute – Workplace Program in Peel Region

Smart Commute Transportation Management Association offices currently operate in the Region of Peel with service areas that cover the entire Region, namely in Brampton-Caledon, Mississauga, and the Toronto Pearson Airport Area. They depend on funding to engage and support member workplaces, and their services and programs are financially supported by Metrolinx, the Region of Peel, local municipalities, and membership fees.

To enable growth of Smart Commute Transportation Management Association membership and services over time, the Region will seek to increase its funding for Smart Commute Transportation Management Associations in conjunction with local municipalities and Metrolinx, as well as through the annual budgeting process. Specifically, the Region will seek to match any increases in Smart Commute funding by local municipalities and Metrolinx above the 2018 baseline. This funding would support specific services to be offered by Smart Commute Transportation Management Association offices and be approved by both the Region and local municipalities.

Regional Council had given authority (Resolution 2016-765) to staff to negotiate and execute service delivery agreements with Metrolinx, and the funding agreements with the three Transportation Management Associations in Peel (Smart Commute Mississauga, Smart Commute Brampton-Caledon and Smart Commute Pearson Airport Area). To ensure that the Smart Commute initiative continues to deliver programs and expand their influence in increasing the use of sustainable travel modes, the Director of Transportation should continue to be delegated the authority to execute agreements with Metrolinx and the Transportation Management Associations.

### 3. Recommended Actions

More than 50 actions are recommended in the Sustainable Transportation Strategy. They have been informed by an analysis of current best practices, consultation with stakeholders, and input from Peel residents. Recommended actions include policies, pilot projects, infrastructure projects, and programs that would collectively enable mode shift in the Region.

The recommendations that are proposed in the Sustainable Transportation Strategy are provided in Appendix III, including additional details on a selection of recommendations such as the pedestrian improvement area and the long term cycling network. The full report is available in the Office of the Regional Clerk for viewing.

## **SUSTAINABLE TRANSPORTATION STRATEGY AND FIVE-YEAR IMPLEMENTATION PLANS**

### **FINANCIAL IMPLICATIONS**

The Sustainable Transportation Strategy identifies costs associated with infrastructure required to 2041 to facilitate movement of people. The costs are aligned with the DC background study. The plan demonstrates a shift in focus from moving cars to moving people, and the costs and scope of road widening required to the 2041 horizon is significantly less than would be needed if this sustainable approach was not taken. Staff conservatively estimates the cost to accommodate these trips solely through road widening would be three times the cost identified to implement the Sustainable Transportation Strategy.

Cost estimates have been developed for the full implementation of the proposed long-term pedestrian improvement areas and cycling network. For non-infrastructure related active transportation and transportation demand management programs, cost estimates were determined for the 2018-2022 period.

- The estimated capital cost of full implementation (to 2041) of cycling and pedestrian infrastructure is \$207 million. The capital estimate for 2018-2022 is \$71.2 million.
- The estimated operating annual cost for active transportation and transportation demand management programs and policies is \$1.8 million per year by 2022, an increase of \$1.1 million over current annual expenditures of \$0.7 million.

Funding sources include federal gas tax, provincial grant funding, development charges, and municipal taxes as appropriate.

In addition, to achieve the proposed 50 per cent mode share target, additional staff resources are required. Staff will review staffing requirements through the 2019 budget process.

Sufficient funding to implement the Sustainable Transportation Strategy's recommended infrastructure projects, programs, and services for 2018 is available in the 2018 Budget. The funding for future years will be presented to Regional Council for approval as part of the annual budget process.

### **CONCLUSION**

Peel Region's population is expected to increase by 40 per cent by 2041, and current levels of physical inactivity are expected to rise, which is concerning given the linkages between physical inactivity and negative community health outcomes including obesity and increases in chronic diseases, such as cardiovascular disease and diabetes.

The Sustainable Transportation Strategy is a component of the upcoming Long Range Transportation Plan update. There is a shared vision to move Peel Region towards sustainability as an approach, to accommodate the mobility needs of growing communities and improve the health of Peel residents. Increasing the mode share of sustainable transportation requires a shift in policies, processes, and priorities, and the development of tools and partnerships in the transportation planning process.

**SUSTAINABLE TRANSPORTATION STRATEGY AND FIVE-YEAR IMPLEMENTATION PLANS**

As a strategy developed in consultation with local municipalities and a broad range of stakeholders, adopting the Sustainable Transportation Strategy will allow staff and partners to effectively deliver on the Region of Peel's *Community for Life* vision, to create a community that is more environmentally friendly, healthier, and considers the long-term benefits for current and future generations.



Janette Smith, Commissioner of Public Works



Nancy Polsinelli, Commissioner of Health



Jessica Hopkins, Medical Officer of Health

**Approved for Submission:**



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D. Szwarc, Chief Administrative Officer

**APPENDICES**

- Appendix I - Executive Summary
- Appendix II – 2041 Vision Mode Share Target by Municipality and Mode
- Appendix III – Selection of Key Recommendations
- Appendix IV - Pedestrian Improvement Areas Map
- Appendix V - Proposed Long Term Cycling Network

*For further information regarding this report, please contact Wayne Chan, Manager, Sustainable Transportation, extension 4405, wayne.chan@peelregion.ca.*

*Authored By: Arthur Lo, Project Manager, Sustainable Transportation*

*Approved in the workflow by:*

Financial Support Unit  
Legal Services

**SUSTAINABLE TRANSPORTATION STRATEGY EXECUTIVE SUMMARY****EXECUTIVE SUMMARY**

The development of the Sustainable Transportation Strategy (STS) was initiated in 2016 to outline the Region's course of action in addressing long-term transportation and growth related issues, in a manner that emphasizes the need for environmental, societal, and economic sustainability. The STS identifies the Region's roles and responsibilities relating to 'sustainable' transportation modes - walking, cycling, carpooling, transit, and teleworking.

The challenge of managing growth in the Region of Peel has significant implications on the operation of the transportation system. With an expected 40% increase in population in Peel by 2041, this growth cannot be accommodated in a "business as usual" manner that perpetuates a transportation system oriented towards supporting automobiles being driven by a single person. To accommodate growth in this manner would impose high costs on Peel's quality of life and economic competitiveness, and lead to unsustainable increases in traffic congestion and environmental impact. Recognizing that growth cannot continue to be met through adding road supply, the STS collaboratively identifies long term solutions that enable and encourage the development of a transportation system where 50% of peak period trips are made by sustainable transportation modes.

The existing mandate for sustainable transportation originates from the Transportation Demand Management (TDM) Study adopted in 2004, the Five Year TDM Plan adopted in 2014, and the Active Transportation (AT) Plan adopted in 2012. The Sustainable Transportation Strategy, along with its 5-year Implementation Plans for AT and TDM, are intended to supersede these plans and act as an implementation plan for the draft 2017 Long Range Transportation Plan.

**Sustainable Transportation Strategy Highlights**

- The Sustainable Transportation Strategy (STS) is an action plan that outlines the Region's roles and responsibilities to significantly increase the proportion of trips made by walking, cycling, transit, carpooling; and trips avoided through teleworking.
- A proposed 2041 target of 50% of trips made by a sustainable transportation mode in the Region is aligned with the vision in the draft 2017 Long Range Transportation Plan, representing approximately a 13% increase from current conditions.
- More than 50 actions are recommended in the STS and the complementing Active Transportation 5-Year Plan and Transportation Demand Management 5-Year Plan, to be undertaken by the Region, many in partnership with municipalities, transit agencies, and other organizations.
- A benefits and business case for sustainable transportation was developed, demonstrating the wide ranging benefits of sustainable transportation to public health, the natural environment, and transportation system performance.

**Benefits and Business Case for Sustainable Transportation**

The STS developed a business case for sustainable transportation, using quantitative and qualitative evidence to assess the wide ranging impacts of achieving the proposed mode share target. Recognizing the societal benefits and costs of the transportation system is important to the Peel's Strategic Plan vision, particularly the outcome that sustainability and long-term benefits to future generations are considered. The business case analysis, comparing the benefits and costs of reaching a mode share target of 50% sustainable modes by 2041:

- \$400 million annual savings in cost of congestion.
- \$80 million annual savings in costs related to carbon dioxide (CO<sub>2</sub>) emissions.

- \$262 million annual cost benefit of the health impacts of increased walking and cycling.

### Consultation and Partnerships

The STS was developed in co-ordination with a multitude of partners and stakeholders to ensure that it reflects a Regional collaborative approach, and is conducive to partnerships. Four working group meetings and a business case workshop were held, and public input was gathered from Public Information Centres in January 2017, and four community events in June 2017. The PIC was co-ordinated with the Long Range Transportation Plan update, as well as with local municipalities where possible. An online survey linked from [www.letsmovepeel.ca](http://www.letsmovepeel.ca) garnered 767 responses from December 2016 to March 2017. The top three sustainable transportation priorities identified through the survey were transit, walking, and travel efficiency (making efficient use of existing infrastructure to manage congestion without adding lanes).

### Strategic Recommendations

More than 50 actions have been recommended in the STS, informed by identifying improvements to existing practices, identifying best practices, and synthesizing input from stakeholders from the public. These recommended actions include policies, pilot projects, infrastructure projects, and programs that would collectively enable mode shift in the Region. The following is a small selection of key recommendations that are proposed in the STS:

- Adopt a multimodal level of service (MMLoS) methodology to support decision-making on road projects. (Multimodal Category)
- Assessing feasibility of bus/high-occupancy vehicle lanes on Regional roads and implementing a pilot project (Multimodal Category)
- Support workplace engagement by Smart Commute to promote commuting with sustainable transportation modes (Multimodal Category)
- Implement Measures to Improve Walkability in Pedestrian Improvement Areas (Walking Category)
- Implement a Long Term Cycling network (Cycling Category)
- Pilot alternative transit services (Transit Category)
- Identify needs and opportunities for third-party carpool lots (Carpooling Category)
- Engage employers to promote flexible work arrangements (Teleworking Category)

### Financial Implications

The STS is proposed to be implemented with projects over the short, medium, and long term.

It is anticipated that the recommended programs will require increases in annual funding allocations to sustainable transportation related projects. The STS recommends \$207M of cycling and pedestrian infrastructure to be built by 2041, and annual funding for active transportation and transportation demand management programs to increase to \$1.8M annually by 2022, from \$0.7M currently.

Through annual budgeting processes and the Development Charges by-law update, staff would work to identify the appropriate allocation and mix of funding sources for sustainable transportation. Funding currently comes from a combination of federal gas taxes, development charges, and municipal tax base, depending on project type. Since the STS is a critical component of implementing the LRTP, staff will have regard to the proper allocation of these funding sources to AT and TDM projects and programs that work to address the Region's overall transportation and growth related goals.

## SUSTAINABLE TRANSPORTATION STRATEGY AND FIVE-YEAR IMPLEMENTATION PLANS

## 2041 VISION MODE SHARE TARGET BY MUNICIPALITY AND MODE

Mode	Peel Region		Brampton		Caledon		Mississauga	
	Now	2041	Now	2041	Now	2041	Now	2041
Driving Alone	62.5%	49.8%	62.7%	51.8%	71.0%	68.1%	61.8%	45.4%
Walking	6.8%	9.1%	7.4%	9.1%	3.5%	3.6%	6.6%	9.8%
Cycling	0.3%	2.0%	0.2%	1.8%	0.0%	0.8%	0.4%	2.3%
Transit	10.8%	17.0%	8.8%	14.6%	2.0%	2.5%	12.9%	21.1%
Carpool	15.2%	17.9%	16.5%	18.6%	8.2%	9.9%	14.8%	18.3%
Other*	4.3%	4.3%	4.4%	4.0%	15.3%	15.1%	3.4%	3.1%
<b>ST Total</b>	<b>37.5%</b>	<b>50.0%</b>	<b>37.3%</b>	<b>48.1%</b>	<b>29.0%</b>	<b>31.9%</b>	<b>38.2%</b>	<b>54.6%</b>

\*Other modes: Mostly consists of school bus trips, with a few taxi and motorcycle trips. They were not a focus of this strategy.

## SELECTION OF KEY RECOMMENDATIONS

The recommended actions are organized by mode, with a ‘multi-modal’ category established for actions that support multiple modes simultaneously. Each action has been assigned either a short (5 year), medium (10 year), and long-term (10+ year) priority. Each action also outlines groups within the Region of Peel that would either lead or support the action, as well as potential external partners and stakeholders. Partnerships are critical to achieving the mode share target, by leveraging their resources, knowledge, and services. Partnerships are also necessary to overcome limitations within each organization’s jurisdiction, and recognizing that sustainable transportation is an inter-regional issue with broad impacts.

The following is a complete list of the recommendations put forward in the Sustainable Transportation Strategy, organized by mode:

<b>MULTIMODAL STRATEGIES: KEY THEMES AND ACTIONS</b>	
<b>Influence the shape of development</b>	
ACTION M1	Encourage local municipalities to reduce parking requirements and support sustainable modes through infrastructure and design
ACTION M2	Improve development approval processes to support sustainable transportation through infrastructure, design and transportation demand management
<b>Strengthen the multimodal function of Regional roads</b>	
ACTION M3	Adopt a complete streets policy and implement a pilot project
ACTION M4	Assume responsibility for walking and cycling facilities in Regional road boulevards
ACTION M5	Update Regional road design standards to ensure access, safety and comfort for walking and cycling
ACTION M6	Adopt a multimodal level of service methodology to assess road designs and allocate right-of-way
ACTION M7	Assess feasibility of bus/HOV lanes on Regional roads, identify priority locations and implement a pilot project
<b>Make roads safer for vulnerable road users</b>	
ACTION M8	Pursue Vision Zero target for vulnerable road users
ACTION M9	Review by-laws that govern active transportation facilities and affect vulnerable road users
ACTION M10	Amend speed limit policies for Regional roads and local streets
ACTION M11	Deliver multimodal road safety education for vulnerable road users
<b>Influence personal travel decisions</b>	
ACTION M12	Deliver special events, information and messaging across the Region
ACTION M13	Deliver neighbourhood-based individualized marketing to priority areas
ACTION M14	Support workplace engagement by Smart Commute to promote commuting by walking, cycling, transit, carpooling and teleworking
ACTION M15	Encourage and support walking and cycling to and from schools
ACTION M16	Support sustainable travel choices through new mobility technologies and business models
<b>Strengthen the Region’s leadership role</b>	
ACTION M17	Create knowledge through research, testing, evaluation and monitoring



**MULTIMODAL STRATEGIES: KEY THEMES AND ACTIONS**

ACTION M18	Expand counting program for walking and cycling facilities
ACTION M19	Provide learning opportunities for stakeholders
ACTION M20	Improve sustainable travel options for Regional employees and implement parking pricing at Regional workplaces
ACTION M21	Undertake road safety demonstration projects

**WALKING STRATEGIES: KEY THEMES AND ACTIONS****Provide comfortable, continuous walking routes**

ACTION W1	Implement Long-Term Walking Network
ACTION W2	Identify and prioritize solutions to major walking barriers
ACTION W3	Identify Pedestrian Improvement Areas and implement measures to improve walkability

**Improve winter maintenance of walking facilities**

ACTION W4	Improve winter maintenance standards for walking facilities
ACTION W5	Develop priority winter maintenance network for Regional sidewalks

**Promote walking across the Region**

ACTION W6	Promote walking for short trips
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**CYCLING STRATEGIES: KEY THEMES AND ACTIONS****Provide comfortable, continuous cycling facilities**

ACTION B1	Implement Long-Term Cycling Network
ACTION B2	Identify and prioritize solutions to major cycling barriers
ACTION B3	Identify and remove minor cycling barriers
ACTION B4	Expand partnerships to support municipal cycling projects
ACTION B5	Update trail design standards to improve weather resilience
ACTION B6	Improve wayfinding for cycling facilities

**Improve year-round maintenance of cycling facilities**

ACTION B7	Improve year-round maintenance standards for cycling facilities
ACTION B8	Develop priority winter maintenance network for Regional cycling facilities

**Expand bicycle parking and end-of-trip facilities**

ACTION B9	Provide bicycle parking in Regional rights-of-way
ACTION B10	Support provision of bicycle parking and end-of-trip facilities at community destinations

**Promote cycling across the Region**

ACTION B11	Promote cycling for short and medium-length trips
ACTION B12	Promote winter cycling
ACTION B13	Provide cycling skills training cycling education in schools
ACTION B14	Build capacity through community-based programs
ACTION B15	Build cycling culture with a bike friendly businesses program
ACTION B16	Study feasibility of a regional bikesharing program

TRANSIT STRATEGIES: KEY THEMES AND ACTIONS	
<b>Make regional roads more transit-supportive</b>	
ACTION T1	Develop transit stop guidelines
ACTION T2	Implement transit priority measures at intersections
<b>Improve connections to transit</b>	
ACTION T3	Improve first- and last-mile access to transit hubs
ACTION T4	Identify needs and opportunities for new park and ride lots
<b>Explore new technologies and business models to support transit</b>	
ACTION T5	Pilot test alternative transit services
<b>Promote transit use across the Region</b>	
ACTION T6	Promote transit near new rapid transit routes

CARPOOLING STRATEGIES: KEY THEMES AND ACTIONS	
<b>Expand carpool lots</b>	
ACTION C1	Implement planned conventional carpool lots, and monitor need and opportunity for others
ACTION C2	Identify needs and opportunities for new third-party carpool lots
<b>Explore new technologies and business models to support carpooling</b>	
ACTION C3	Assess the feasibility of public vanpool services
ACTION C4	Advocate for provincial legislation to enable third-party vanpools
<b>Promote carpooling in key markets</b>	
ACTION C5	Promote carpooling in areas with long trips and lower-quality transit service

TELEWORK STRATEGIES: KEY THEMES AND ACTIONS	
<b>Promote flexible work arrangements as a win-win-win solution</b>	
ACTION TW1	Engage employers to promote flexible work arrangements
<b>Help workplaces support flexible work arrangements</b>	
ACTION TW2	Deliver telework training and tools to employers
ACTION TW3	Study the feasibility of satellite workplaces

The following provides further explanations for key recommendations that are proposed in the Sustainable Transportation Strategy:

**a) Action M6: Adopt a multimodal level of service methodology to assess road designs and allocate right-of-way**

Currently, the Region's performance measures for road capital projects and intersection operations is generally based on "level of service" for motorized vehicles. Level of service is a quantitative measure of average delay experienced by vehicles. The STS recommends developing multimodal level of service performance measures for all road users. Multimodal levels of service considers factors such as comfort and experience, which are important as they relate to human behavior change, which is central to achieving the 50% sustainable transportation mode share target. Applying multimodal levels of service would support decision-making for Environmental Assessments, road projects, and intersection improvements in a manner that evaluates impacts on all modes, enabling the Region's Environmental Assessments and transportation impact studies to better support sustainable transportation.

**b) Action M7: Assess feasibility of bus/HOV lanes on Regional roads, identify priority locations and implement a pilot project**

High-occupancy vehicle (HOV) lanes have been deployed across the Greater Toronto and Hamilton Area on a variety of municipally-owned roads and provincially-owned highways. HOV lanes can help maximize the person-carrying capacity of the transportation network by giving priority to carpoolers and transit services. In particular, the effectiveness of potential HOV lanes in Peel would be maximized if they are connected to the HOV network planned for provincial 400-series highways, and to higher-order rapid transit services. The Sustainable Transportation Strategy recommends that the Region assess the feasibility and effectiveness of bus/HOV lanes on Regional road corridors, identify a conceptual long-term network, and implement a potential pilot project.

**c) Action M14: Support workplace engagement by Smart Commute to promote commuting by walking, cycling, transit, carpooling and teleworking**

Smart Commute is a program that engages and supports member workplaces to promote and incentivize the use of sustainable transportation modes, and is financially supported by Metrolinx, the Region of Peel, local municipalities, and membership fees. To enable an expansion of Smart Commute membership, the Sustainable Transportation Strategy recommends that Peel and its partners increase Smart Commute funding, while working with economic development agencies, and boards of trade to generate additional employer interest. Regional staff is currently working with Metrolinx staff to establish a process/agreement to ensure successful delivery of the STS and the 5-Year Implementation Plans, and for Metrolinx to provide funds directly to the Region of Peel, which will be administered and allocated to Smart Commute Transportation Management Associations in Peel via an executed agreement.

Regional Council had given authority (Resolution 2016-765) to staff to negotiate and execute service delivery agreements with Metrolinx, and the funding agreements with the three Transportation Management Associations in Peel (Smart Commute Mississauga, Smart Commute Brampton-Caledon and Smart Commute Pearson Airport Area). To ensure that the Smart Commute initiative continues to deliver programs and expand their influence in increasing the use of sustainable travel modes, the Director of Transportation should continue to be delegated the authority to execute agreements with Metrolinx and the Transportation Management Associations.

**d) Action W3: Identify Pedestrian Improvement Areas and implement measures to improve walkability**

Pedestrian improvement areas were identified as those having greater potential for increased walking mode share, as well as based on the location of key destinations, transit connections, and public input. The Sustainable Transportation Strategy recommends enhanced measures to improve walkability at these locations, and taking a context specific approach to determine the appropriate measure to implement. These measures can include intersection pedestrian-friendly curb radii adjustments, additional mid-block crossings, landscaping, street furniture, and upgraded sidewalks. The proposed improvements to walkability and increased pedestrian safety and comfort align

with the Region's upcoming Road Safety Strategic Plan and the Region's vision for zero fatal injuries for all road users (Vision Zero), endorsed in December 2017.

**e) Action B1: Implement a Long Term Cycling network**

Building upon the work undertaken to expand Peel's cycling network based on the 2012 Active Transportation Plan, the Sustainable Transportation Strategy recommends taking an approach that incorporates the latest cycling facility design guidance, and placing a greater focus on standalone cycling network improvements rather than reliance on opportunities that arise from road capital projects such as road widenings. The proposed cycling network includes not only new facilities on Regional roads, but also upgrading existing facilities to current standards of design, and partnering with local municipalities and conservation authorities on off-road trails of Regional significance. It also identifies crossings of Regional roads with highway interchanges, where collaboration and cost-sharing with the Ministry of Transportation (MTO) is required to address these barriers to pedestrians and cyclists. Some examples of proposed cycling facilities in the long term cycling network include continuous multi-use trails along much of Erin Mills Parkway in Mississauga and Airport Road in Brampton, and cycle tracks along Highway 50 in Bolton.

**f) Action T5: Pilot test alternative transit services**

Emerging technologies and innovative mobility business models are creating the opportunity for alternative transit services, such as ones using variable routes, on-demand service, and vanpooling systems. The STS recommends that the Region collaborate with local municipalities and transit agencies to identify and evaluate opportunities for innovative transit technologies and service models, particularly those that can attract new riders or improve cost effectiveness of transit in areas that are potentially underserved, have low density, or low transit demand.

**g) Action C2: Identify needs and opportunities for new third-party carpool lots**

Third-party parking lots allow carpoolers to use existing, underutilized parking lots, such as those at community centres or shopping malls. They present a more cost effective and flexible approach compared to building new carpool lots. The STS recommends that the Region work with local municipalities to identify potential third-party carpool lots, and develop a template agreement to formalize arrangements regarding liability, maintenance, and other operational issues.

**h) Action TW1: Engage employers to promote flexible work arrangements**

The STS recommends that the Region collaborate with organizations that have existing relationships, community channels, and credibility with the employer community, to inform and foster employer interest in teleworking. A collaborative campaign can make the business case for telework, and help employers to address operational and financial implications that may currently be barriers to teleworking, such as access to information technology and performance management.



Proposed Long Term Cycling Network



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|---|---|--|
| <b>Existing Facilities</b>  | <b>Proposed Facilities</b>  | --- Rail Line  |
| <span style="color: red;">—</span> Bike Lane                                  | <span style="color: brown;">—</span> Shared Route                                 | — Watercourse  |
| <span style="color: purple;">—</span> Paved Shoulder                          | <span style="color: blue;">—</span> Paved Shoulder                                | <span style="background-color: #90EE90; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> Park / Green Space |
| <span style="color: green;">—</span> Multi-use Trail                          | <span style="color: red;">- - -</span> Bike Lane or Buffered Bike Lane            | <span style="background-color: #ADD8E6; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> Waterbody          |
| <span style="color: yellow;">—</span> Off-Road Trail of Regional Significance | <span style="color: blue;">- - -</span> Cycle Track                               |  |
| <span style="color: green;">—</span> Greenbelt Route                          | <span style="color: green;">- - -</span> Multi-Use Trail                          |  |
|   | <span style="color: yellow;">- - -</span> Off-Road Trail of Regional Significance |  |



Coordinate System: NAD 1983 UTM Zone 17N





## Office of the Chair

March 6, 2018

Resolution Number 2018-123

The Honourable Bill Mauro  
Minister of Municipal Affairs  
777 Bay Street, 17th Floor  
Toronto, ON M5G 2E5

**Sent by e-mail**

Dear Minister Mauro:

**Subject: Comments on Draft Regulations to Implement Certain Provisions of the Building Better Communities and Conserving Watersheds Act, 2017**

I am writing to advise that Regional Council approved the following resolution at its meeting held on Thursday, February 22, 2018:

**Resolution 2018-123:**

That the comments outlined in the report of the Commissioner of Public Works, and contained in Appendix I, titled "Comments on Draft Regulations to Implement Certain Provisions of the *Building Better Communities and Conserving Watersheds Act, 2017*" be endorsed;

And further, that a copy of the subject report be forwarded to the Town of Caledon, the City of Brampton, the City of Mississauga, and the Ministry of Municipal Affairs.

A copy of the report is provided for your information.

Frank Dale  
Regional Chair and Chief Executive Officer

FD:ms

Also sent to:

Peter Fay, City Clerk, City of Brampton  
Diana Rusnov, City Clerk, City of Mississauga  
Carey deGorter, General Manager, Corporate Services/Town Clerk, Town of Caledon

c: Arvin Prasad, Director of Integrated Planning, Public Works Region of Peel  
Andrea Warren, Director of Development Services, Public Works, Region of Peel

DATE: February 13, 2018

REPORT TITLE: **COMMENTS ON DRAFT REGULATIONS TO IMPLEMENT CERTAIN PROVISIONS OF THE *BUILDING BETTER COMMUNITIES AND CONSERVING WATERSHEDS ACT, 2017***

FROM: Janette Smith, Commissioner of Public Works

## RECOMMENDATION

That the comments outlined in the report of the Commissioner of Public Works, and contained in Appendix I, titled “Comments on Draft Regulations to Implement Certain Provisions of the *Building Better Communities and Conserving Watersheds Act, 2017*” be endorsed;

And further, that a copy of the subject report be forwarded to the Town of Caledon, the City of Brampton, the City of Mississauga, and the Ministry of Municipal Affairs.

## REPORT HIGHLIGHTS

- The *Building Better Communities and Conserving Watersheds Act, 2017* (“the Act”) was passed on December 12, 2017. It is anticipated to come into force in the Spring of 2018.
- The Act amends the *Planning Act*, the *Conservation Authorities Act*, and creates the *Local Planning Appeal Tribunal Act* and the *Local Planning Appeal Support Centre Act*.
- This report provides an overview of key changes and implications for Peel arising from the new legislation and Regional staff comments (Appendix I) in response to the draft regulations.
- Changes to the *Conservation Authorities Act* will include new powers to issue stop work orders, impose increased penalties up to \$1,000,000, and maintain the existing relationship between the Region and the Conservation Authorities.
- The Ontario Municipal Board (OMB) will be replaced by a Tribunal for new appeals, and some rules for planning and development-related appeals have been changed.
- Amendments to the *Planning Act*, once proclaimed, will create the opportunity for Major Transit Station Area policies to be generally protected from appeal, and create requirements to plan for climate change mitigation and adaptation.
- Proposed transition regulations under the *Planning Act* have been issued for comment.
- Amendments to existing regulations have also been issued for comment under the *Planning Act*.
- Proposed regulations have also been issued under the *Local Planning Appeal*



## COMMENTS ON DRAFT REGULATIONS TO IMPLEMENT CERTAIN PROVISIONS OF THE BUILDING BETTER COMMUNITIES AND CONSERVING WATERSHEDS ACT, 2017

*Tribunal Act* for comment that:

- Provide for transition to the Tribunal;
- Identify information requirements for applications and appeals; and,
- Establish procedures for the Tribunal.
- Appeals on applications that began prior to December 12, 2017 continue to be handled at the OMB.
- Regional Official Plan Amendments (ROPAs) underway such as the draft Growth Management (includes potential Mayfield West Phase 2: Stage 2 settlement area boundary expansion), Ninth Line Lands, and Transportation ROPAs, if adopted by Regional Council, will be subject to Provincial approvals that cannot be appealed if the Province approves the ROPA within their 210 day review period.

### DISCUSSION

#### 1. Background

On December 12, 2017, the *Building Better Communities and Conserving Watersheds Act, 2017* (“the Act”) received Royal Assent.

The Act amends several other Acts, including the *Conservation Authorities Act* and the *Planning Act*. It further creates new Acts, including the *Local Planning Appeal Tribunal Act, 2017*, which has the effect of replacing the Ontario Municipal Board (OMB) with the Local Planning Appeal Tribunal (“Tribunal”), and the *Local Planning Appeal Support Centre Act, 2017* which creates the Local Planning Appeal Support Centre to help Ontarians access information and advice about the appeal process. These changes are not fully in effect until proclamation, anticipated in the Spring of 2018.

Regulation proposals related to these legislative changes have been posted to Ontario’s Environmental Registry and Regulatory Registry. The period for comments closed on January 21, 2018, following a 45-day commenting period. After consultation with local municipal staff through the Planning Technical Advisory Committee, Regional staff provided comments to these regulation proposals by the deadline. These comments are attached to this report to be considered for endorsement by Regional Council.

#### 2. Overview of Changes

##### a) Changes to Conservation Authorities

Amendments to the *Conservation Authorities Act* impacting Conservation Authorities (“Authorities”) will modernize the legislative, regulatory and policy framework of their operations and is not anticipated to result in substantive changes to the Region’s ongoing relationship with the Authorities. These changes strengthen oversight and accountability in the Authorities’ decision-making, provide clarity and consistency regarding roles and responsibilities, and improve collaboration and engagement among all parties involved in resource conservation.

## COMMENTS ON DRAFT REGULATIONS TO IMPLEMENT CERTAIN PROVISIONS OF THE *BUILDING BETTER COMMUNITIES AND CONSERVING WATERSHEDS ACT, 2017*

Some of these changes include:

- New powers to issue stop work orders, and the ability to levy increased penalties and fines;
- An increase to the term of appointment for members to 4 years from 3 years to better align with municipal council terms;
- Specific direction to Authorities for programs, services, and projects they can undertake in their jurisdiction including:
  - Mandatory programs and services required by legislation.
  - Municipal programs and services provided on behalf of municipalities.
  - Other services and programs determined to further their objectives.
- Allowing Authorities to recover capital costs for projects that they undertake, and operating expenses from their participating municipalities.

It is important to note that alternative funding mechanisms, apart from municipal funding, have not been addressed in the finalization of the *Conservation Authorities Act*. In addition, many of the outcomes of the *Conservation Authorities Act* review have been deferred to the content of regulations. The timing and details of such regulations and their implications for the Authorities are unknown at this time.

### **b) Changes to the land use planning and development appeals system**

The combined impact of changes to the *Planning Act* and the *Ontario Municipal Board Act*, and the creation of the *Local Planning Appeal Tribunal Act* and the *Local Planning Appeal Support Centre Act* represent a shift in the land use planning and development appeals framework in Ontario. They strengthen the authority of municipalities, and create a greater role for municipal decision-making. Key changes will replace the OMB with a Tribunal, limit the opportunity and basis for appeals, protect major transit investments, and enhance the role of climate change within planning. In addition, a Local Planning Appeal Support Centre is planned which will provide free and independent advice and representation to Ontarians on land use planning appeals.

#### **Local Planning Appeal Tribunal replaces Ontario Municipal Board**

The OMB is replaced by the Tribunal for new appeals, and some rules for planning and development-related appeals have been changed. Existing appeals before the OMB continue to be dealt with by the Board. Further transition provisions are explained later in this report.

#### **Removal and Restrictions on Appeals**

Appeals of official plans and amendments, zoning by-laws and amendments are generally restricted to the basis of consistency and conformity with Provincial Policy Statements, conformity with applicable Provincial plans, and conformity to relevant upper-tier land use official plans.

In addition, appeals of official plans and amendments subject to Provincial approvals are not permitted. However, an appeal is permitted if the Province fails to provide a decision within 210 days (up from 180 days previously) after receiving the decision, but the existing *Planning Act* permits an extension of up to 90 additional days. Further, appeals

## COMMENTS ON DRAFT REGULATIONS TO IMPLEMENT CERTAIN PROVISIONS OF THE BUILDING BETTER COMMUNITIES AND CONSERVING WATERSHEDS ACT, 2017

heard by the Tribunal are to be undertaken using only the evidence that informed the decision under challenge.

As there is to be no opportunity for new evidence to be presented at a Tribunal, municipal decision-making should be comprehensive in articulating how it arrived at its decision using the available evidence. This may require the inclusion of additional planning and related technical reports to be brought forward as part of a Council report, as new information cannot be added afterwards during an appeal process.

### Major Transit Station Areas

Once proclaimed, Major Transit Station Area policies and designations will no longer be subject to appeal. Planning for these areas is required through the Growth Plan for the Greater Golden Horseshoe. As such, municipalities, including Peel, will have the opportunity to protect transit-supportive and transit-oriented complete communities around major transit investments.

### Climate Change

Further amendments to the *Planning Act* will require municipalities to identify goals, objectives and actions to mitigate greenhouse gas emissions and to provide for adaptation to a changing climate, including through increasing resiliency. This provision under the *Planning Act*, once in force, will support the climate change policies being developed as part of the Peel 2041 Regional Official Plan update.

The combined impact of amendments to the *Planning Act* should create greater certainty for planning in the Region.

### c) Changes impacting land use planning and development appeals

As noted, the Tribunal will generally replace the OMB in land use planning and development appeals. However, its practice will differ from the OMB in some respects. Key distinctions between the Board and Tribunal include that:

- Appealed applications will be assessed by the Tribunal on the basis of consistency and conformity with Provincial and relevant upper-tier plans and policies. Failure to satisfy this requirement will result in the dismissal of the appeal application;
- Appeals considered by the Tribunal will first be referred to mandatory case management to provide an opportunity for resolution outside of a hearing process;
- Hearings will primarily be undertaken on the basis of written submissions with oral hearings held only by exception;
- If the Tribunal determines a municipal decision did not meet the new standard of review on a first appeal, the matter will be referred back to municipalities for reconsideration;
- A new decision must be issued within 90 days by the original approval authority on a matter referred back by the Tribunal. This is a significant consideration as this may potentially impact Regional work processes and necessitate additional Council meetings;
- In the event of a non-decision, or refusal to change a decision, a second hearing is undertaken at the Tribunal; and,
- The Tribunal can substitute its decision for that of the original approval authority in a second hearing.

**COMMENTS ON DRAFT REGULATIONS TO IMPLEMENT CERTAIN PROVISIONS OF THE BUILDING BETTER COMMUNITIES AND CONSERVING WATERSHEDS ACT, 2017**

To facilitate the transition to the Tribunal from the OMB, three regulation proposals were issued by the Province:

- EBR 013-1788 outlined transitional matters for in process and new appeals;
- EBR 013-1790 addressed minimum requirements for information submitted with land use planning applications and the record of materials to be sent to the Tribunal on appeal; and,
- 17-MAG011 outlined considerations regarding transition, timelines for proceedings, time limits for submissions at oral hearings for major land use planning appeals, and practices and procedures for the Tribunal in respect to major land use appeals.

Regional staff, after consultation with local municipal staff through the Planning Technical Advisory Committee, submitted comments on these regulatory proposals prior to the EBR comment deadline. These comments generally focus on completing the transition to the Tribunal as soon as possible, ensuring clear requirements for information that recognize the often extensive and complex nature of planning-related evidence, and to ensure adequate resourcing to manage the transition and provide the planned level of service.

The comment letter can be found in Appendix I. Regional Council endorsement of these comments is requested.

Further details about the regulatory proposals can be found in Appendix II.

**d) Impact upon ongoing Regional planning initiatives**

There are several Regional planning initiatives that are affected by the proposed transition regulations. If a municipally initiated official plan amendment was appealed prior to the Act receiving Royal Assent on December 12, 2017, the amendment continues under the existing OMB process. If a municipally initiated amendment is appealed between December 12, 2017 and when the Act is comes into force, the appeal comes under the new Tribunal process. Once the Act is proclaimed, Provincial approval decisions of official plans and amendments including conformity exercises to Provincial Plans are not permitted to be appealed.

If approved by the Province after the new Act comes into effect, the draft Growth Management, Ninth Line Lands and Transportation ROPAs would be exempt from appeals, except as noted in section 2b) Removal and Restrictions on Appeals of this report, that an appeal would be permitted if the Province failed to provide a decision within 210 days (up from 180 days previously) after receiving the decision, but the existing *Planning Act* permits an extension of up to 90 days.

In addition, there are seven Regional Official Plan Amendments that remain under appeal. These appeals are mostly related to the GTA West Corridor-specific policies. These appeals are not impacted by the transition to the Tribunal, and continue under the existing Ontario Municipal Board system. Some of these, including ROPA 16, 20, 22, 24, and 26, have been administratively bundled by the OMB into the Transportation Corridor Protection Policies appeals.

## COMMENTS ON DRAFT REGULATIONS TO IMPLEMENT CERTAIN PROVISIONS OF THE BUILDING BETTER COMMUNITIES AND CONSERVING WATERSHEDS ACT, 2017

On February 9, 2018 the Province of Ontario announced that a highway in the GTA West Corridor is not the best way to address changing transportation needs, and further, that only a narrower corridor will continue to be protected. Regional staff need to determine the impact of this announcement on appeals of GTA West-specific policies at the OMB.

### CONCLUSION

Legislative amendments in the *Building Better Communities and Conserving Watersheds Act, 2017* will come into force through proclamation, anticipated in Spring 2018.

By eliminating certain appeals, raising the standard for appeal applications, limiting the use of new evidence, encouraging mediation, providing defined timelines for proceedings, and increasing public participation, the changes to the land use planning and development appeals system in Ontario should create a stronger role for municipal decision-making. In addition, amendments in the *Planning Act*, once in effect, will create greater certainty for transit investments by communities, and integrate planning for climate change.



Janette Smith, Commissioner of Public Works

### Approved for Submission:



D. Szwarc, Chief Administrative Officer

### APPENDICES

Appendix I – Comment Letter in Response to Draft Regulations

Appendix II – Summary of Regulation Proposals to Implement the *Building Better Communities and Conserving Watersheds Act, 2017*

*For further information regarding this report, please contact, Arvin Prasad, MPA, RPP, MCIP, Director, Integrated Planning, Public Works, (905) 791-7800 x4251, [arvin.prasad@peelregion.ca](mailto:arvin.prasad@peelregion.ca)*

*Authored By: Indro Bhattacharyya, RPP, MCIP and Learie Miller, RPP, MCIP*

*Reviewed in workflow by:*

Financial Support Unit  
Legal Services

**COMMENTS ON DRAFT REGULATIONS TO IMPLEMENT CERTAIN PROVISIONS OF  
THE BUILDING BETTER COMMUNITIES AND CONSERVING WATERSHEDS ACT, 2017****Public Works**

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Ken Petersen  
Manager  
Ministry of Municipal Affairs and Housing  
Local Government and Planning Policy Division  
Provincial Planning Policy Branch  
777 Bay Street, Floor 13  
Toronto ON, M5G 2E5

And

Ministry of the Attorney General  
Agency and Tribunal Relations Division  
720 Bay Street, 3rd Floor  
Toronto, ON M7A 2S9

Dear Ken,

**Re: EBR013-1788 Transitional Provisions, EBR013-1790 Minimum Requirements, and 17-MAG011 Local Planning Appeal Tribunal Regulations**

---

Thank you for the opportunity to comment on proposed regulations to implement reforms to the land use planning and development appeals system in Ontario. The Region has an active interest in these reforms and has provided comments to the Province throughout this reform process.

Comments identified by the Region regarding the regulation proposals focus on the need for rapid proclamation to provide certainty in this time of change, greater clarity for stakeholders with respect to requirements for applications and appeal materials, and adequate resourcing to manage the transition and provide the planned level of service.

**EBR 013-1788 Transitional Provisions**

With respect to EBR 013-1788, outlining transitional matters, proclamation to bring the changes in Bill 139 into force as soon as possible is important. This will provide greater certainty in the transition from the Ontario Municipal Board to the Local Planning Appeal Tribunal.

The Region is undertaking a comprehensive review of the Regional Official Plan that includes conformity with Provincial Plans and Policies. Timely proclamation will provide greater certainty for the Official Plan Review and other land use planning matters in Peel. Peel is the second largest municipality in Ontario after Toronto.

**EBR 013-1790 Minimum Requirements**

While the level of detail is limited with respect to the regulation in EBR 013-1790, the Province is encouraged to provide greater clarity through regulations for all stakeholders.

**COMMENTS ON DRAFT REGULATIONS TO IMPLEMENT CERTAIN PROVISIONS OF  
THE BUILDING BETTER COMMUNITIES AND CONSERVING WATERSHEDS ACT, 2017****Public Works**

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In particular, when outlining minimum requirements for information submitted with land use planning applications and record of materials sent to the Local Planning Appeal Tribunal on appeal, the following matters should be considered:

- These requirements should be responsive to a diversity of application types ranging from minor variances to complex land use planning policy, be capable of being implemented by municipalities and applicants large and small, and of being understood by a variety of stakeholders;
- Regulations should also provide guidance on the information that should be before Council in making its decision, and the manner in which it can be made available (e.g. studies referenced in a staff report and available online or upon request, rather than attaching all physical documentation directly to staff reports and Council agendas). There are practical considerations as to the use of Council agenda documents. Planning decisions undertaken by approval authorities often leverage extensive technical advice provided by a variety of experts. In these instances, requiring that all documentation be directly included in a Council agenda can become burdensome. Providing the opportunity for this extensive technical advice to be available elsewhere, in a readily accessible format to stakeholders and the general public, instead of directly embedded in a Council agenda is recommended.
- Regulations should also provide some flexibility in how municipalities record and submit the information that was available to Councils to inform their decisions;
- When revising required information to include in notice of adoption of proposed amendments under Ontario Regulation 543/06, it is recommended that requirements be concise, clearly identify the types of information that must be included, and direct stakeholders to information that facilitates participation in the appeals process (e.g. types of decisions that are appealable, and where to seek information on appeal processes and legal support);
- Requirements should recognise the use of digitized materials using common/open file formats to facilitate open access of data and decisions and review of evidence through the internet, and;
- Lastly, plain language and accessibility requirements should be considered to facilitate broad understanding of applications and appeals documentation.

**17-MAG011 Local Planning Appeal Tribunal Regulations**

With respect to 17-MAG011, outlining transition, timelines for proceedings, time limits for submissions at oral hearings for major land use planning

**COMMENTS ON DRAFT REGULATIONS TO IMPLEMENT CERTAIN PROVISIONS OF  
THE BUILDING BETTER COMMUNITIES AND CONSERVING WATERSHEDS ACT, 2017****Public Works**

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appeals, practices and procedures for tribunal proceedings, it is recommended that:

- Adequate resourcing is available to both the Ontario Municipal Board and the Local Planning Appeal Tribunal to manage the transition seamlessly, and to provide the planned level of service to ensure overall timelines for current and future proceedings before the Ontario Municipal Board are met, in addition to future proceedings before the Local Planning Appeal Tribunal;
- Further detail be provided, for instance, key milestone dates and whether the proposed overall timelines include the decision of the Local Planning Appeal Tribunal, for the various types of proceedings that have overall timelines identified in 17-MAG011 to ensure they can be realistically implemented;
- Procedural guidelines ensure timely review, assessment, and decisions on appeal applications by the Local Planning Appeal Tribunal.

The Ontario Municipal Board has shaped land use planning and development appeals for over a century and its transition into the Local Planning Appeal Tribunal is challenging. The Region is committed to contributing towards a seamless transition.

Cordially,

Arvin Prasad, MPA, RPP, MCIP  
[arvin.prasad@peelregion.ca](mailto:arvin.prasad@peelregion.ca)  
Director, Integrated Planning,  
Public Works,  
Region of Peel



**APPENDIX II  
COMMENTS ON DRAFT REGULATIONS TO IMPLEMENT CERTAIN PROVISIONS OF THE BUILDING BETTER COMMUNITIES  
AND CONSERVING WATERSHEDS ACT, 2017**

**Summary of Regulation Proposals to implement the *Building Better Communities and Conserving Watersheds Act, 2017*.**

<b>Proposed Transition Regulation under Planning Act (EBR 013-1788)</b>	
<b>Regulation Item</b>	<b>Proposed Regulation</b>
When is the ability to appeal removed?	Appeals are removed for provincial approvals of official plans and official plan updates, including for conformity exercises to provincial plans when notice is given after proclamation.
When do the new tests for conformity and consistency with provincial and/or local plans apply to appeals of decisions?	The new tests of conformity and consistency apply to appeals of decisions on an official plan/amendment or zoning by-law/amendment where notice is given after proclamation;
	The new tests of conformity and consistency apply to appeals of decisions made before proclamation on complete applications made after Royal Assent;
	The new tests of conformity and consistency apply to appeals of decisions made before proclamation on municipally-initiated official plan amendments that are adopted after Royal Assent, and;
When do the new tests for conformity and consistency with provincial and/or local plans apply to appeals of non-decisions?	The new tests of conformity and consistency apply to appeals of decisions made before proclamation on municipally-initiated zoning by-law amendments that are passed after Royal Assent.
	The new tests of conformity and consistency apply to appeals of non-decisions on an application for an official plan amendment or zoning by-law amendment made after proclamation, and;
	The new tests of conformity and consistency apply to appeals of non-decisions on an application for an official plan amendment or zoning by-law amendment made before proclamation on complete applications made after Royal Assent.

**APPENDIX II  
COMMENTS ON DRAFT REGULATIONS TO IMPLEMENT CERTAIN PROVISIONS OF THE BUILDING BETTER COMMUNITIES  
AND CONSERVING WATERSHEDS ACT, 2017**

**Summary of Regulation Proposals to implement the *Building Better Communities and Conserving Watersheds Act, 2017*.**

When will mandatory referrals of Minister zoning orders be removed?	The removal of mandatory referrals of Minister's zoning orders would apply to requests to refer made after proclamation.
When are appeals of Interim Control By-Laws restricted?	The removal of appeals (other than by the province) of interim control by-laws when first passed (for a period of up to 1 year) would apply to decisions made after proclamation.
When are amendments of Secondary Plans restricted?	The restriction on the ability to amend secondary plans for 2 years following their approval, unless allowed by council, would apply to applications for amendments to secondary plans that come into effect proclamation.
When will decision timelines be extended?	The extension for decision timelines on applications for official plan amendments and zoning by-law amendments would apply to complete applications submitted after Royal Assent and the extension for decision timelines for approval authorities on adopted official plans/amendments would apply to official plans/amendments adopted after Royal Assent.

APPENDIX II  
 COMMENTS ON DRAFT REGULATIONS TO IMPLEMENT CERTAIN PROVISIONS OF THE BUILDING BETTER COMMUNITIES  
 AND CONSERVING WATERSHEDS ACT, 2017

Summary of Regulation Proposals to implement the *Building Better Communities and Conserving Watersheds Act, 2017*.

Proposed Amendments to Existing Regulations under the Planning Act (EBR 013-1790)	
Regulation Item	Proposed Regulation
What will change to minimum requirements with respect to the information that must be submitted with each land use planning application and what information must be included in the record of materials sent to the OMB on an appeal?	Revising what information is to be included in the giving of notice e.g. some decisions would be final and not subject to appeal;  Revising what information and material is to be included in a complete application e.g. to include how an application conforms with the relevant official plan(s), and;  Revising what is required to be forwarded to the Local Planning Appeal Tribunal on an appeal e.g. the municipal statement would need to indicate whether the decision conforms with the relevant official plan(s);
Various	Replacing references to Ontario Municipal Board with Local Planning Appeal Tribunal, and/or;  Updating relevant legislative cross-references.

APPENDIX II  
 COMMENTS ON DRAFT REGULATIONS TO IMPLEMENT CERTAIN PROVISIONS OF THE BUILDING BETTER COMMUNITIES  
 AND CONSERVING WATERSHEDS ACT, 2017

Summary of Regulation Proposals to implement the *Building Better Communities and Conserving Watersheds Act, 2017*.

Proposed Regulations under Local Planning Appeal Tribunal Act (17-MAG011)	
Regulation Item	Proposed Regulation
What matters will be heard by the Local Planning Appeal Tribunal?	<p>Appeals made after proclamation;</p> <p>Appeals of complete applications made to a municipality before proclamation, but after Royal Assent;</p> <p>Appeals of municipally-initiated official plan amendments made before proclamation that are adopted after Royal Assent;</p> <p>Appeals of municipally-initiated zoning by-law amendments made before proclamation that are passed after Royal Assent;</p> <p>Appeals of a municipality's failure to make a decision on an official plan or zoning by-law would apply to appeals made after proclamation;</p> <p>Appeals of a municipality's failure to make a decision on complete applications of an official plan or zoning by-law made to it before proclamation but after Royal Assent;</p> <p>Appeals of a municipality's failure to make a decision on an official plan or plan of subdivision made after proclamation.</p>
How long will it take for a	Ten (10) months for appeals of a decision, or a failure to make a decision, on official plans and official plan amendments, or zoning by-laws and zoning by-law amendments;

**APPENDIX II  
COMMENTS ON DRAFT REGULATIONS TO IMPLEMENT CERTAIN PROVISIONS OF THE BUILDING BETTER COMMUNITIES  
AND CONSERVING WATERSHEDS ACT, 2017**

**Summary of Regulation Proposals to implement the *Building Better Communities and Conserving Watersheds Act, 2017*.**

<p>decision by the Tribunal?</p>	<p>Six (6) months for appeals of a new decision of a municipality or an approval authority, or a failure to make a decision, where an appeal was referred back to original authority by the Tribunal;</p> <p>Twelve (12) months for appeals of an approval authority's failure to make a decision on an official plan or plan of subdivision application, and;</p> <p>Six (6) months for any other proceeding before the Tribunal under the Planning Act (e.g. minor variances).</p>
<p>What will happen to oral submissions at hearings?</p>	<p>Each party to the appeal would have a maximum of 75 minutes to make an oral submission.</p> <p>Others identified as participants by the Tribunal would have 25 minutes each to make an oral submission.</p> <p>Tribunal would have discretion to increase the time limits.</p>
<p>Will cross-examinations be prohibited?</p>	<p>The examination of a party or any other person, other than by the Tribunal, would be prohibited.</p>



## Office of the Chair

March 6, 2018

Resolution Number 2018-122

The Honourable Bill Mauro  
Minister of Municipal Affairs  
777 Bay Street, 17th Floor  
Toronto, ON M5G 2E5

**Sent by e-mail**

Dear Minister Mauro:

**Subject: Comments on Draft Regulations to Implement Inclusionary Zoning in the Promoting Affordable Housing Act, 2016**

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I am writing to advise that Regional Council approved the following resolution at its meeting held on Thursday, February 22, 2018:

**Resolution 2018-122:**

That the comments outlined in the report of the Commissioner of Public Works and the Commissioner of Human Services titled "Comments on Draft Regulations to Implement Inclusionary Zoning in the Promoting Affordable Housing Act, 2016" and contained in Appendix I, be endorsed;

And further, that a copy of the subject report be forwarded to the Town of Caledon, the City of Brampton, the City of Mississauga, and the Ministry of Municipal Affairs.

A copy of the report is provided for your information.

Frank Dale  
Regional Chair and Chief Executive Officer

FD:ms

Peter Fay, City Clerk, City of Brampton  
Diana Rusnov, City Clerk, City of Mississauga  
Carey deGorter, Town Clerk, Town of Caledon

c: Janice Sheehy, Commissioner of Human Services, Region of Peel  
Janette Smith, Commissioner of Public Works, Region of Peel  
Arvin Prasad, Director of Integrated Planning, Public Works, Region of Peel  
Aileen Baird, Director of Housing Services, Human Services, Region of Peel

The Regional Municipality of Peel 10 Peel Centre Dr., Suite A, Brampton, ON L6T 4B9 905-791-7800 Fax 905-791-2567

DATE: February 14, 2018

REPORT TITLE: **COMMENTS ON DRAFT REGULATIONS TO IMPLEMENT INCLUSIONARY ZONING IN THE *PROMOTING AFFORDABLE HOUSING ACT, 2016***

FROM: Janette Smith, Commissioner of Public Works  
Janice Sheehy, Commissioner of Human Services

## RECOMMENDATION

That the comments outlined in the report of the Commissioner of Public Works and Commissioner of Human Services titled “Comments on Draft Regulations to Implement Inclusionary Zoning in the *Promoting Affordable Housing Act, 2016*” and contained in Appendix I, be endorsed;

And further, that a copy of the subject report be forwarded to the Town of Caledon, the City of Brampton, the City of Mississauga, and the Ministry of Municipal Affairs.

## REPORT HIGHLIGHTS

- On May 18, 2016, the Province released for comment the Bill 204: *Promoting Affordable Housing Act, 2016* which includes proposed changes to the *Planning Act*;
- In July 2016, Regional Council provided comments on the draft legislation;
- On December 8, 2016, the *Promoting Affordable Housing Act, 2016* (the Act) received Royal Assent.
- The Act enables municipalities to adopt official plan policies related to inclusionary zoning. Inclusionary Zoning would enable municipalities to require affordable housing units or gross floor area to be provided in new development projects and to ensure affordable housing over time.
- On December 18, 2017, the Province released for comment a summary of the draft regulations related to inclusionary zoning.
- This report provides an overview of the key changes and Regional staff comments in response to the draft regulations.
- Regional comments strongly recommend the Province revisit elements of the draft inclusionary zoning regulations by considering: flexibility at the local level; not adding financial burden on to municipalities to contribute to measures, incentives and costs associated with administration, implementation, monitoring and reporting; and, addressing the significant gap in rental housing.
- The municipal financial contribution would impact other housing priorities that cannot be met by inclusionary zoning such as homelessness, supportive housing and

## COMMENTS ON DRAFT REGULATIONS TO IMPLEMENT INCLUSIONARY ZONING IN THE PROMOTING AFFORDABLE HOUSING ACT, 2016

addressing deeper poverty needs.

- Regional staff has embarked on an Affordable Housing Needs and Strategies project with the aim of updating the Peel Housing and Homelessness Plan and bringing forward a Regional Official Plan Amendment with revised housing policies. This work includes consideration for a potential inclusionary zoning approach for Peel.

### DISCUSSION

#### 1. Background

On May 18, 2016, Bill 204, *Promoting Affordable Housing Act* was released for comment. Bill 204 included changes to the *Planning Act* to enable municipalities to adopt official plan policies and zoning by-laws related to inclusionary zoning. Inclusionary Zoning would enable municipalities to require affordable housing units or floor area to be provided in new development projects and to ensure affordable housing over time. In July 2016, Regional Council provided comments via Resolution 2016-607 on Bill 204. This legislation was reintroduced as Bill 7 and received Royal Assent on December 8, 2016. It is expected to come into force in Spring 2018 through proclamation.

On December 18, 2017, a summary of the draft regulations related to inclusionary zoning were posted for comment to Ontario's Environmental Registry. Comments were requested by February 1, 2018. Staff provided comments to the draft regulation summary by the due date and these comments are attached to this report as Appendix I. Staff comments are subject to Regional Council endorsement.

#### 2. Overview of Proposed Regulations

The following is an overview of requirements set out in the draft regulations which focus on inclusionary zoning implementation.

##### Official Plan Policies

The draft regulations would require Official Plan Policies authorizing inclusionary zoning to include the following:

- Application of Inclusionary Zoning must be limited to development sizes that are 20 units or more.
- Must identify locations where an inclusionary zoning by-law would apply.
- Must identify a range of household incomes for which inclusionary zoning would apply.
- Must identify an approach to setting an affordable housing average market price annually for each unit type that may be required through an inclusionary zoning by-law.

Prior to the adoption of Official Plan Policies authorizing inclusionary zoning, a housing Municipal Assessment Report is required, containing information related to household incomes, housing characteristics, housing affordability, housing supply and average market price for each proposed affordable housing unit type.



**COMMENTS ON DRAFT REGULATIONS TO IMPLEMENT INCLUSIONARY ZONING IN THE PROMOTING AFFORDABLE HOUSING ACT, 2016**

**Zoning By-laws**

Zoning By-laws implementing inclusionary zoning would be required to address:

- Total number of affordable housing units or total gross floor area proposed to be set aside for affordable housing within a development (cannot exceed 5 per cent, or 10 per cent for developments located within high density transit-station areas).
- Each affordable housing unit to be maintained as affordable for a minimum of 20 years and a maximum of 30 years (affordability period).
- Mandatory financial incentives from the municipality would be required based on a specific formula that would require the municipality to pay the developer 40 per cent of the difference between the sum of the average market price and the sum of the affordable housing price.
- In an area where a Community Planning Permit System exists, no measures and incentives would be required. In Peel, a Community Planning Permit System is currently in place for a portion of Downtown Brampton. Municipal zoning, site planning and minor variance processes, which are all under the jurisdiction of local municipalities, are combined into one application and approval process through Community Planning Permit Systems. In other areas, the municipality would be required to provide a financial contribution to the development, as per the formula provided.
- The municipal contribution must be provided through one or more of the following: a waiver or reduction to planning fees; a reduction of parking requirement; exemption from paying all or part of the parkland cash-in-lieu; and/or relief from all or part of development charges.

**Inclusionary Zoning Agreements – Share of Proceeds from Equity**

- During the affordability period, the permitted sale price of the affordable housing unit and the share of the net proceeds would be determined by the municipality.
- Following the affordability period, the affordable housing unit can be sold at market price.
- When the affordable housing unit is sold within the 10 years following the affordability period, the net sale proceeds will be shared between the owner and municipality based on a schedule set out in the regulations. The net proceeds during this 10-year period will change depending on the duration of the ownership. The percentage paid to the owner increases according to the number of years of ownership.

**Reporting Requirement**

- A report to Council documenting the status of affordable housing units is required every two years from the date of passing of the inclusionary zoning by-law.
- The report must contain information related to the number, type, location of affordable housing units secured and the total amount of share of equity proceeds received.

**Off-site Restrictions**

If inclusionary zoning affordable housing units are being provided off-site, the units must be:

- Located in close proximity to the principal development.
- The affordable housing units must be located in an area zoned for inclusionary zoning.
- The offsite units must be ready for occupancy no later than 36 months after the transfer of the affordable housing units from the principal development.

**COMMENTS ON DRAFT REGULATIONS TO IMPLEMENT INCLUSIONARY ZONING IN THE PROMOTING AFFORDABLE HOUSING ACT, 2016**

**Restrictions on Use of Section 37**

- The affordable housing units or gross floor secured through the inclusionary zoning program cannot be used as a community benefit under section 37 of the *Planning Act*.

**Exemptions**

The inclusionary zoning requirements cannot be applied to developments for purpose-built rental housing and development provided by a non-profit housing provider.

**3. Regional Response**

Following consultation and input from local municipal staff, Regional staff provided comments to the Province on the draft regulation summary by the February 1, 2018 deadline.

Regional staff strongly recommends that the Province reconsider elements of the draft inclusionary zoning regulations. Flexibility should be provided to municipalities to enable local autonomy and reflect community needs. Without such changes, the utility of inclusionary zoning as a tool for delivering affordable housing in Peel is uncertain. Changes are recommended in the following areas:

- Eliminate the mandatory requirement for municipal contributions (measures and incentives);
- Identification of specific measures and incentives associated with providing the municipal contributions;
- Concerns with the exclusion of rental housing development;
- Additional flexibility should be provided to municipalities in: setting limits on the size of developments to which inclusionary zoning would apply (20 units or more); setting the limits to unit set aside (5 and 10 per cent); setting of affordability period; and establishing equity sharing requirement following the affordability period.

Comments include a significant concern related to the requirement for long-term municipal contributions to provide measures, incentives and costs associated with administration, implementation, monitoring and reporting. These provisions will cause a significant financial burden on municipalities and negatively impact other housing priorities that cannot be met by Inclusionary Zoning such as homelessness, supportive housing and addressing deeper poverty needs.

The draft regulation does not address rental housing, which is a significant gap and loss of opportunity. There is a significant need for rental housing in Peel. For example, the 2017 vacancy rate was 1.0 per cent (down from 1.4 per cent in 2016). These and other concerns were raised in the attached comment letter (Appendix I). Regional Council endorsement of these comments to the inclusionary zoning draft regulation summary is requested.

**COMMENTS ON DRAFT REGULATIONS TO IMPLEMENT INCLUSIONARY ZONING IN THE PROMOTING AFFORDABLE HOUSING ACT, 2016**

**4. Next Steps**

Regional staff has embarked on an Affordable Housing Needs and Strategies project with the aim of updating the Peel Housing and Homelessness Plan and bringing forward a Regional Official Plan Amendment with revised housing policies. This work includes a review of our current housing system and considers a preferable future for Peel residents. The analysis utilized to identify results includes: housing needs assessment; outcomes and targets; roles and responsibilities; and, financial and non-financial incentives and tools for affordable housing including consideration for a potential inclusionary zoning framework in Peel. The initial results of the Affordable Housing Needs and Strategies project will be coming forward to Council in Spring 2018 as the updated Peel Housing and Homelessness Plan.



Janette Smith, Commissioner of Public Works



Janice Sheehy, Commissioner of Human Services

**Approved for Submission:**



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D. Szwarc, Chief Administrative Officer

**APPENDICES**

Appendix I – Comments on Draft Regulations

*For further information regarding this report, please contact Arvin Prasad, MPA, RPP, MCIP, Director, Integrated Planning, extension 4251, [arvin.prasad@peelregion.ca](mailto:arvin.prasad@peelregion.ca).*

*Authored By: Naheeda Jamal*

*Reviewed in the workflow by:*

Financial Support Unit

## APPENDIX I

COMMENTS ON DRAFT REGULATIONS TO IMPLEMENT INCLUSIONARY ZONING IN THE  
*PROMOTING AFFORDABLE HOUSING ACT, 2016*

February 1, 2018

Via Email: [inclusionaryzoning@ontario.ca](mailto:inclusionaryzoning@ontario.ca)

Laurie Miller, Director  
Ministry of Municipal Affairs and Housing  
Local Government and Planning Policy Division  
Provincial Planning Policy Branch  
777 Bay Street, Floor 13  
Toronto ON  
M5G 2E5

Dear Ms. Miller,

Re: **Proposed Regulation under the Planning Act Related to Inclusionary Zoning (EBR# 013-1977)**

Thank you for the opportunity to comment on the draft Inclusionary Zoning (IZ) regulations for the *Promoting Affordable Housing Act, 2016*, posted on the Environmental Registry website on December 18, 2017. The following comments are provided by Region of Peel staff as input to the Ministry to consider when finalizing the IZ regulations. Should formal comments be received and endorsed by Regional Council, these will be forwarded to Ministry staff for further consideration.

#### **General Comments**

It is recognized that the Region has been requesting the Province to provide municipalities with the ability to require inclusionary zoning. In principle, the Region is supportive of inclusionary zoning as one potential tool to increase affordable housing. However, the requirements set out in the proposed regulations contain significant challenges and burdens to implementing inclusionary zoning in Peel.

The inclusionary zoning regulations are too prescriptive, directing detailed requirements and restrictions on to municipalities. This approach does not enable municipalities to have flexibility to outline the parameters of an inclusionary zoning framework considering the local municipal context. The following are examples of areas within the regulations which hinder flexibility and together create barriers to a successful inclusionary zoning framework in Peel:

- The mandatory requirement for municipal contributions (measures and incentives);
- Identification of specific measures and incentives associated with providing the municipal contributions;
- The exclusion of rental housing development;
- Limits on the size of developments to which IZ would apply (20 units or more);
- Limits to unit set aside (5 and 10 per cent);
- Setting of affordability period;
- Prescriptive equity sharing requirement following the affordability period.

## APPENDIX I

COMMENTS ON DRAFT REGULATIONS TO IMPLEMENT INCLUSIONARY ZONING IN THE  
PROMOTING AFFORDABLE HOUSING ACT, 2016

## 1.0 The Cost of Measures and Incentives

**The mandatory nature of measures and incentives will result in a significant financial burden on municipalities.**

The proposed regulations require municipalities to provide long-term financial contributions amounting to 40 per cent of the difference between the average market price and the affordable price for each affordable housing unit created through inclusionary zoning. This requirement is a significant financial burden on municipalities that are already using a limited funding envelope to provide affordable housing (i.e. providing subsidies to households and contributing to the capital development of affordable housing). Benchmarking of successful inclusionary zoning programs in other jurisdictions demonstrates that the reliance on mandatory provisions of measures and incentives is not necessary. For example, there are no inclusionary zoning programs in the US with mandatory contributions directed.

The following table provides a preliminary understanding of the potential financial impact on municipalities associated with providing the 40 per cent financial contribution requirement for IZ units. This analysis uses an affordability price of \$279,350 (the price affordable to households in the 4<sup>th</sup> income decile in Peel region). It is noted that this is a preliminary estimate as the amount of municipal financial contribution would vary depending on unit form, type, location and targeted household income. For one affordable housing unit secured through inclusionary zoning, the municipality may be required to provide up to \$117,000 in measures and incentives to a developer. This figure is of importance given that the priority needs in Peel are family-sized, multi-bedroom units. Mandatory measures and incentives are onerous and have a significant negative impact on municipalities.

Table 1: Region of Peel Estimated Financial Contribution for IZ Units

	1-Bedroom	2-Bedroom	3-Bedroom
Average Market Price	\$303,371	\$389,062	\$571,552
Affordable Price	\$279,350	\$279,350	\$279,350
IZ Municipal Financial Contribution Per Unit (Based on Provincial formula in draft regulations)	\$9,608	\$43,885	\$116,881

\* Affordable price is based on the maximum amount that a Peel resident in the 4<sup>th</sup> income decile can pay for housing.

\* Affordable price is based on a 5% downpayment, standard CMHC mortgage insurance rate, and property tax).

Furthermore, upper-tier municipalities have been given the unique role as Housing Service Manager, which requires the financial prioritization of social housing and homelessness. If these municipalities are now required to provide significant financial contributions in order to implement inclusionary zoning, this may result in undue strain on municipal finances to deliver on prescribed housing responsibilities. The measures and incentives provisions will cause a significant financial burden on municipalities and take away from other housing priorities that cannot be met by IZ such as homelessness, supportive housing and addressing deeper poverty needs.

**COMMENTS ON DRAFT REGULATIONS TO IMPLEMENT INCLUSIONARY ZONING IN THE  
PROMOTING AFFORDABLE HOUSING ACT, 2016**

It is recognized that measures and incentives would not be required to be provided where a community planning permit system (CPPS) exists, but this tool is not available to upper-tier municipalities and its use would be limited to the 'uptake' of each local municipality. Please note to date CPPS has been rarely used in Ontario.

**The proposed measures and incentives identified in the draft regulations, do not allow for flexibility in determining what may be more appropriate to address unique municipal situations.**

The IZ regulations require that the 40 per cent contribution of measures and incentives be paid through waiving of development application fees, parking requirements, development charges, or cash in lieu of parkland. Local municipalities rely on these fees and funds to cover the costs of program/service delivery and funding future infrastructure needs. The requirement for municipalities to utilize these limited fees and funds to also address affordable housing units is a significant concern. Furthermore, the Region is currently undertaking significant work on affordable housing needs and strategies, including research and stakeholder consultation on financial and non-financial tools and incentives for the provision of affordable housing. As such, there may be additional tools and incentives appropriate for Peel Region's unique context, which are not included in the draft regulations.

It is recommended that municipalities should be given the flexibility to decide which measures and incentives would be most appropriate to implement within their jurisdictions, and flexibility to choose the amount of financial contribution to an IZ development or redevelopment. Alternatively, the Province should provide funding to municipalities to offset these costs.

## **2.0 Additional Costs for Implementation**

**There is a significant financial burden being passed on to municipalities to administer, implement, monitor and report on an inclusionary zoning framework.**

The proposed IZ regulations will result in costs associated with administration, implementation, monitoring and reporting. These include the following:

- Initial IZ framework development;
- Ongoing data collection, research and market analysis;
- Administration costs for regular tracking, transfers of units and reporting;
- Ongoing operation to maintain the affordable housing supply and administration of units including managing the financial equity obligations;
- Legal costs to manage agreements; and
- Conducting ongoing monitoring and compliance of units.

The proposed IZ regulation does not address the transfer of Provincial funding to municipalities to offset the above noted costs. It is recommended the Province address the significant financial burden passed onto municipalities or provide more flexibility in the regulations to reduce the responsibility on municipalities.

Furthermore, the draft regulations need to consider the operational complexity of administering an inclusionary zoning program. The following are examples of areas requiring clarity:

## APPENDIX I

**COMMENTS ON DRAFT REGULATIONS TO IMPLEMENT INCLUSIONARY ZONING IN THE  
PROMOTING AFFORDABLE HOUSING ACT, 2016**

- It is not clear how future purchasers of the affordable housing units will be selected, assessed and approved;
- In the case of a purchaser buying a pre-sale affordable housing unit, how is a change in income identified and handled;
- The affordable housing price set under the inclusionary zoning program will likely need to be registered on title, along with other restrictive covenants (such as equity sharing). The impact on the lending industry must be considered as they will be interested in their mortgage default position.

**3.0 Tenure**

**The draft regulations do not address rental housing, which is severely needed across the Region.**

There is a dire need for rental housing in Peel. For example, the vacancy rate was 1.0 per cent in 2017 (down from 1.4 per cent in 2016). In fact, many municipalities in Ontario are experiencing a similar problem. It is a significant missed opportunity to not have the opportunity to encourage a greater range and mix of housing types and tenures through inclusionary zoning, consistent with direction in the Provincial Policy Statement, 2014 (Section 1.4) and the Provincial Growth Plan, 2017 (Section 2.2.6). It is strongly recommended that the proposed IZ regulations be revisited to address affordable rental housing.

It is recommended that the Province introduce similar draft IZ regulations that would apply to purpose-built rental developments/redevelopments and/or address the ability of ownership units to be transferred to a non-profit organization to operate as rental units.

**4.0 Development Size**

**The draft regulations do not provide municipalities with the flexibility to determine the appropriate development size to apply the inclusionary zoning provisions.**

The draft regulations apply only to a minimum development size of 20 units or more. Consistent with earlier comments, municipalities should be given flexibility to set a standard appropriate for the municipality. This would enable municipalities to apply their local understanding of the housing market and make decisions appropriate for the community.

**5.0 Price Levels**

**The calculation and methodology to set affordable housing unit price levels requires further Provincial guidance and involvement.**

The draft IZ regulations require municipalities to set an average market price for each proposed affordable housing unit type. The Province needs to provide additional direction and guidance on how this price should be set. For example, direction is needed on how factors such as condominium fees, property tax, price changes across geographies be factored into such a calculation. Further, it may be difficult to set affordable housing price levels on a yearly basis due to a lack of consistently available and accessible data.

## APPENDIX I

**COMMENTS ON DRAFT REGULATIONS TO IMPLEMENT INCLUSIONARY ZONING IN THE  
PROMOTING AFFORDABLE HOUSING ACT, 2016****6.0 Unit Set Aside**

**The draft regulations do not provide the flexibility to municipalities to determine the appropriate unit set aside, considerate of the local context.**

The draft regulations limit IZ programs to no more than 5 per cent of the total units or gross floor area of a proposed development or 10 per cent of total units or gross floor area in high density transit-station areas. Municipalities should be given flexibility to determine the appropriate unit set aside. This flexibility will enable municipalities to consider what is appropriate given local conditions, housing needs and assist in meeting Official Plan housing unit targets. The current draft regulation does not enable municipalities to set aside a higher standard, which may be more appropriate for areas in Peel region. If the Province chooses to provide direction on allowable setasides, a minimum requirement should be provided (rather than a maximum).

**7.0 Affordability Period**

**Municipalities should have the flexibility to determine the most appropriate affordability period for their local context.**

The draft regulations stipulate that the affordability period must be between 20 to 30 years. It is recommended that the Province identify a minimum affordability period, therefore allowing municipalities with the ability to set a longer affordability period, if appropriate. This flexibility will allow municipalities to align the affordability period with program planning and investment decisions.

**8.0 Equity Proceeds Following Affordability Period**

**The draft regulations are too prescriptive in setting detailed equity-sharing between the owner and municipality that represents significant financial risk for municipalities following the affordability period.**

The draft regulations include very prescriptive and complex equity sharing provisions following the 20 to 30 year affordability period. These provisions do not provide any guarantee that the original investment provided by municipalities will be recouped and therefore reinvested into the IZ program. More specifically, during the affordability period (20 to 30 year period) the affordable unit must only be sold at an affordable price prescribed in an Official Plan. The requirement to keep the unit's selling price at an affordable rate would limit the amount of equity that would be shared between the owner and municipality. Following this period, depending on how long the owner retains the unit there is a risk that the municipality may not recoup any of the cost of the original capital investment. Furthermore, given the limited affordability timeline and high cost of measures and incentives, the proposed equity-sharing structure represents a large capital investment for municipalities that ultimately does not result in an acquisition of assets. This reality would act as a disincentive for municipalities to invest in an inclusionary zoning framework, as proposed. Lastly, the proposed definition of equity needs to be further clarified, especially as it relates to deducting "any remaining mortgage payments owed by the owner at the time of the sale."



## APPENDIX I

**COMMENTS ON DRAFT REGULATIONS TO IMPLEMENT INCLUSIONARY ZONING IN THE  
PROMOTING AFFORDABLE HOUSING ACT, 2016**

It is recommended that municipalities be given the responsibility to determine the appropriate equity split during the affordability period and afterwards. Further, the Province should revisit the definition of equity.

**9.0 Off-Site Restrictions**

**Municipalities should have the ability to establish greater certainty around the off-site provision of affordable units.**

The draft regulations allow developers to provide IZ affordable housing units off-site, in close proximity to the 'principal' development and within a 36-month timeframe. It is important that municipalities have the ability to establish certainty when it comes to ensuring that these units are provided in appropriate locations and in a timely manner, through additional agreements with developers.

Moreover, Developers may opt to provide affordable housing units offsite, especially in cases where the 'principal' site is in an area of high land value (i.e. transit station areas). It is recommended that the Province consider a higher unit set aside when an off-site contribution is being provided.

**10.0 Additional Clarification**

**The draft regulations do not provide guidance on the expectations for the implementation of IZ in a two-tier system.**

The IZ draft regulations do not address how the IZ program would be established in a two-tier system such as in Peel. It is recommended that further Provincial guidance be provided on implementation of IZ in a two-tier system including roles and responsibilities.

We trust that these comments are of assistance to the Province. Regional staff would be pleased to discuss any clarifications or further comments. Our staff contact is Naheeda Jamal, Principal Planner, Integrated Planning Division 905-791-7800 ext. 4024; [Naheeda.Jamal@peelregion.ca](mailto:Naheeda.Jamal@peelregion.ca).

Sincerely,

Arvin Prasad  
Director, Integrated Planning Division  
Public Works, Region of Peel

[Arvin.Prasad@peelregion.ca](mailto:Arvin.Prasad@peelregion.ca)  
905-791-7800 ext. 4251

**Ministry of  
Municipal Affairs**

Provincial Planning Policy  
Branch  
777 Bay Street, 13<sup>th</sup> Floor  
Toronto ON M5G 2E5  
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**Ministère des  
Affaires municipales**

Direction des politiques provinciales  
d'aménagement  
777, rue Bay, 13<sup>e</sup> étage  
Toronto ON M5G 2E5  
Tél. 416-585-6014  
Télééc. 416-585-6870



**Date:** March 5, 2018

**Subject: Planning Act Regulations related to the Building Better Communities and Conserving Watersheds Act, 2017**

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Further to the email sent on February 27, 2018, I am writing to provide an update on regulations under the Planning Act related to the Building Better Communities and Conserving Watersheds Act, 2017.

The Planning Act regulations will come into effect on April 3, 2018.

New regulations under the Local Planning Appeal Tribunal Act, 2017 are also proposed and it is anticipated that they will be finalized in the near future. In the interim, please visit the [Ontario Regulatory Registry posting](#) for information on the Local Planning Appeal Tribunal Act, 2017 regulations.

Under the *Planning Act*, changes will be made to existing regulations to facilitate implementation of the Building Better Communities and Conserving Watersheds Act, 2017 changes to the land use planning and appeal system by:

- requiring explanations of how planning proposals are consistent/conform with provincial and local policies and clarify requirements for municipal notices;
- making technical changes, such as changing references from Ontario Municipal Board to Local Planning Appeal Tribunal, and amending cross-references; and
- establishing new transition provisions to set out rules for planning matters in process at the time of proclamation.

You can view copies of the amending *Planning Act* regulations on Ontario's e-Laws:

- [Ontario Regulation 67/18 "Transitional Matters – General"](#) – amending Ontario Regulation 174/16 "Transitional Matters Relating to the *Smart Growth for Our Communities Act*, 2015"
- [Ontario Regulation 68/18](#) – amending Ontario Regulation 543/06 "Official Plans and Plan Amendments"
- [Ontario Regulation 69/18](#) – amending Ontario Regulation 549/06 "Prescribed Time Period – Subsections 17 (44.4), 34 (24.4) and 51 (52.4) of the Act"
- [Ontario Regulation 70/18](#) – amending Ontario Regulation 551/06 "Local Appeal Bodies"

- [Ontario Regulation 71/18](#) – amending Ontario Regulation 200/96 “Minor Variance Applications”
- [Ontario Regulation 72/18](#) – amending Ontario Regulation 197/96 “Consent Applications”
- [Ontario Regulation 73/18](#) – amending Ontario Regulation 545/06 “Zoning By-Laws, Holding By-Laws and Interim Control By-Laws”
- [Ontario Regulation 74/18](#) – amending Ontario Regulation 544/06 “Plans of Subdivision”
- [Ontario Regulation 75/18](#) – amending Ontario Regulation 173/16 “Community Planning Permits”

## Questions

If you have any questions about the changes to the land use planning and appeal system, including the Planning Act regulatory changes, please email [OMBReview@ontario.ca](mailto:OMBReview@ontario.ca).

Sincerely,

Laurie Miller, Director  
Provincial Planning Policy Branch  
Ministry of Municipal Affairs

**Robinson, Laurie**

---

**From:** Ontario Good Roads Association <DoNotReply@ConnectedCommunity.org>  
**Sent:** 2018/03/05 8:10 AM  
**To:** Fay, Peter  
**Subject:** Preparing for Connected and Automated Vehicles in Canada - A Transport Canada Webinar

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The graphic shows a highway with several cars. A network of white lines connects the cars, symbolizing connectivity. In the bottom left corner, there is a circular portrait of Ken Moshi, a man with glasses and a suit. The text "Preparing For Connected And Automated Vehicles In Canada" is prominently displayed in the center. Below this, it says "A webinar with Ken Moshi Senior Analyst, Transport Canada" and "March 20th @ 1:30pm".

## [Preparing for Connected and Automated Vehicles in Canada](#)

*Ken Moshi – Senior Analyst, Transport Canada  
March 20th @ 1:30pm*

Connectivity and automation are creating new possibilities for innovation to enhance the capacity and competitiveness of Canada's transportation system. Enabled by powerful information technologies, smart infrastructure, and new sources of data, connected and automated vehicles will have far reaching impacts on trade, transportation, and the economy as a whole over the coming decades.

Transport Canada, road authorities, industry, academia and other stakeholders are undertaking numerous activities to help prepare Canada for the wider use of connected and automated vehicles on our roads.

The presentation will provide an overview of connected and automated vehicle concepts, challenges and barriers to deployment, and domestic efforts being made to address those challenges. The presentation will also highlight Transport Canada's new

Program to Advance Connectivity and Automation in the Transportation System (ACATS).

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*The mandate of the Ontario Good Roads Association is to represent the transportation and public works interests of municipalities through advocacy, consultation, training and the delivery of identified services.*



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February 26, 2018

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Ministry of Municipal Affairs  
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Toronto, ON M5G 1Z3

**Subject: Proposed Land Needs Assessment Methodology for the Greater Golden Horseshoe**

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I am writing to advise that Regional Council approved the following resolution at its meeting held on Thursday, February 22, 2018:

That the joint report of the Commissioner of Public Works and Commissioner of Finance and Chief Financial Officer, titled "Proposed Land Needs Assessment Methodology for the Greater Golden Horseshoe", be approved as official comments of the Region of Peel on the Proposed Land Needs Assessment Methodology for the Greater Golden Horseshoe in order to meet the commenting deadline of February 28, 2018;

And further, that a copy of the subject report be forwarded to the Town of Caledon, the City of Brampton, the City of Mississauga, and the Ministry of Municipal Affairs.

A copy of the report is provided for your information.

  
Stephanie Jurrius  
Legislative Specialist

SJ:ms

Also sent to:

Peter Fay, City Clerk, City of Brampton  
Diana Rusnov, Director of Legislative Services and City Clerk, City of Mississauga  
Carey de Gorter, General Manager, Corporate Services/Town Clerk, Town of Caledon

c: Arvin Prasad, Director of Integrated Planning, Public Works, Region of Peel  
Adrian Smith, Acting Director of Growth Management Strategy, Corporate Finance, Region of Peel

DATE: February 14, 2018

REPORT TITLE: **PROPOSED LAND NEEDS ASSESSMENT METHODOLOGY FOR THE GREATER GOLDEN HORSESHOE**

FROM: Janette Smith, Commissioner of Public Works  
Stephen VanOfwegen, Commissioner of Finance and Chief Financial Officer

## RECOMMENDATION

**That the joint report of the Commissioner of Public Works and Commissioner of Finance and Chief Financial Officer, titled “Proposed Land Needs Assessment Methodology for the Greater Golden Horseshoe”, be approved as official comments of the Region of Peel on the Proposed Land Needs Assessment Methodology for the Greater Golden Horseshoe in order to meet the commenting deadline of February 28, 2018;**

**And further, that a copy of the subject report be forwarded to the Town of Caledon, the City of Brampton, the City of Mississauga, and the Ministry of Municipal Affairs.**

## REPORT HIGHLIGHTS

- Regional Council received a report on October 26, 2017, titled “*Peel Growth Management Strategy Overview Report – An Integrated Approach to Managing Growth to 2041*” along with a comprehensive planning and land budget report, infrastructure and financing information that, once approved will provide an integrated framework for managing the Region’s growth to 2041;
- In bringing forward the Growth Management material in October 26, 2017, it was noted that the Region’s land budget may be impacted by the release of the mandatory Provincial land needs assessment methodology;
- On December 19, 2017 the Ministry of Municipal Affairs released a Discussion Paper on a Proposed Methodology for Land Needs Assessment for the Greater Golden Horseshoe;
- Overall, the draft land needs assessment methodology represents a positive initiative from the Province in providing comprehensive guidance around land needs that reflects a consistent and transparent approach and best practices including the approach used by Peel Region and local municipalities. However, staff have identified the following as issues:
  - Concerns with the proposed inclusion of the land area for Undelineated Built-up Areas (i.e. Hamlets and Villages) as part of the Designated Greenfield Areas minimum density target calculation;
  - Clarity required around the timing and requirements for detailed implementation planning in strategic growth areas such as Major Transit Station Areas;

## PROPOSED LAND NEEDS ASSESSMENT METHODOLOGY FOR THE GREATER GOLDEN HORSESHOE

- Concerns with mandated employment floor space vacancy rate assumptions;
  - Uncertainty around the remaining guidance to come from the Province on supporting materials identified such as an Intensification Strategy, a Housing Strategy, and an Employment Strategy; and
  - Flexibility to recognize ongoing Municipal Comprehensive Review work within the 2031 timeframe that will support overall 2041 objectives such as the Ninth Line lands planning process underway.
- It is not expected that the Proposed Land Needs Assessment Methodology will result in significant changes required to the overall draft Regional growth allocations. However, some adjustments to calculations will be needed.
  - Moving forward with the current Growth Management Program and advancing the Growth Management Regional Official Plan Amendment will move the Region closer to having an updated growth management framework to manage growth, address the \$1.1 billion growth related infrastructure deficit and support evidence based planning, infrastructure, and finance decision making;
  - The timing of further Provincial direction and consultation and the release of the final land budget methodology could affect the timing of bringing forward a recommended Growth Management Regional Official Plan Amendment to Council for adoption; and
  - Staff's technical comments on the Proposed Methodology are attached to this report as Appendix I.

## DISCUSSION

### 1. Background

On May 18, 2017, the Province concluded the Co-ordinated Plans Review by releasing the final version of the Growth Plan for the Greater Golden Horseshoe, 2017 (the Growth Plan, 2017). The Growth Plan, 2017 provides a policy-framework to support a co-ordinated and integrated approach to managing the forecasted 13.5 million people and 6.3 million jobs anticipated in the Greater Golden Horseshoe by the year 2041.

Section 2.2.1.5 of the Growth Plan, 2017 states that the Minister will establish a methodology to be used by upper- and single-tier municipalities to assess the quantity of land required to accommodate forecasted growth. This includes determining if Settlement Area Boundary Expansions are required.

On December 19, 2017, the Ministry of Municipal Affairs released a Discussion Paper on a Proposed Methodology for Land Needs Assessment for the Greater Golden Horseshoe ("Methodology") for review and comment by February 28, 2018. The intent is to provide municipalities with a consistent and transparent approach to determine land needs to the year 2041 in accordance with the Provincial Growth Plan, 2017.

The release of the Methodology is an important milestone for the Peel 2041 Growth Management Program. The Region's Growth Management Program was initiated to implement an integrated approach to managing growth in consultation with stakeholders with an outcome of successfully managing and reducing the \$1.1 billion cost revenue gap associated with growth related infrastructure.



## **PROPOSED LAND NEEDS ASSESSMENT METHODOLOGY FOR THE GREATER GOLDEN HORSESHOE**

On October 26, 2017, staff presented a report to Regional Council titled “*Peel Growth Management Strategy Overview Report – An integrated Approach to Managing Growth to 2041*” along with comprehensive planning, infrastructure, and financing information to support Peels integrated approach to Growth Management. The comprehensive planning report included a draft Growth Management Regional Official Plan Amendment (“ROPA”) to implement the growth management policies of the Growth Plan, 2017 and a draft land budget that provided for the allocation of population and employment growth to 2041 for each local municipality. The Region’s land budget demonstrated a need for a Settlement Area Boundary Expansion to accommodate growth to 2041. The report also noted that refinements to the Region’s land budget may be required based on the land needs assessment methodology to be released by the Minister.

The purpose of this report is to provide an overview of the Methodology, highlight implications for the Region of Peel, and provide technical comments to the Province on the Methodology attached as Appendix I. This report is informed by staff’s review, attendance at a technical briefing session hosted by the Province, and discussions with local municipal staff.

### **2. Proposed Land Needs Assessment Methodology Overview**

The Methodology identifies six background analysis research areas as inputs required for the land needs assessment:

- Identification of the hierarchy of settlement areas and areas within settlement areas where growth will be focused (i.e. delineated built-up areas, urban growth centres, and other strategic growth areas);
- Identification of an appropriate intensification target through an intensification analysis;
- Identification of an appropriate designated greenfield area density target through an analysis of existing development and potential for increased density;
- Identification of an appropriate density target for employment areas through an employment strategy;
- An assessment of the anticipated structure and composition of employment over the Growth Plan horizon; and
- An assessment of the anticipated composition of households over the Growth Plan horizon.

## PROPOSED LAND NEEDS ASSESSMENT METHODOLOGY FOR THE GREATER GOLDEN HORSESHOE

The inputs and analysis from the background research is applied to the steps below to calculate how much land is needed to accommodate growth:

Community Area Land Need		Employment Area Land Need	
<b>Step 1.</b>	Establish population growth by planning period	<b>Step 1.</b>	Determine total employment to the Growth Plan horizon
<b>Step 2.</b>	Determine total number of housing units needed to accommodate population growth in each planning period	<b>Step 2.</b>	Determine distribution of employment growth by job type
<b>Step 3.</b>	Determine allocation of housing units by policy area and planning period	<b>Step 3.</b>	Determine job growth by type in Community Areas and Employment Areas
<b>Step 4.</b>	Determine population of policy areas	<b>Step 4.</b>	Determine job growth in Community Areas in the Delineated Built-up Areas and Designated Greenfield Area
<b>Step 5.</b>	Determine policy-based capacity of Community Areas to accommodate planned growth*	<b>Step 5.</b>	Incorporating the Employment Areas density target and capacity of existing Employment Areas
<b>Step 6.</b>	Determine Community Area land need in Designated Greenfield Area**	<b>Step 6.</b>	Determine new Employment Area Land Need**

*\*This term refers to analysis required to identify appropriate intensification and designated greenfield area density targets through the review of opportunities to accommodate growth.*

*\*\*Includes the need for settlement area boundary expansion, if required.*

### 3. Implications to Peel's Draft Land Budget

The Methodology generally reflects the best practice approach taken by the Region. However, the following issues may impact Peel's land budget.

#### Undelineated Built-up Areas

The Methodology provides a description of key policy areas that form the hierarchy of settlement areas where growth will be allocated and planned. Within this section, the Province states that all lands within Undelineated Built-up Areas (undelineated areas) such as hamlets and villages are to be considered as part of the Designated Greenfield Area. The Region's land budget recognizes the undelineated areas (i.e. Alton, Palgrave, Belfountain, Albion) as part of the Rural Area.

## **PROPOSED LAND NEEDS ASSESSMENT METHODOLOGY FOR THE GREATER GOLDEN HORSESHOE**

The proposed inclusion of these undelineated areas in the Designated Greenfield Area density calculation is not mandated by the Growth Plan, 2017 and is illogical given the current low density of these areas, the lack of existing and planned municipal infrastructure and lack of transit to support higher density development. In fact, substantial growth of these areas is discouraged in the Growth Plan, 2017. It is staff's opinion that the inclusion of undelineated areas as part of Designated Greenfield Areas is not in line with the policies and directions of the Growth Plan, 2017.

### **Detailed Planning**

The Province specifies that the Methodology will be supported by background research that consists of intensification, housing, and employment analysis. However, the level of detailed planning required to satisfy the background analysis is not clearly articulated. As an example, it is unclear whether the delineation of boundaries and allocation of minimum densities for Major Transit Station Areas will be a required input for intensification analysis to support the land needs assessment.

It is staff's opinion that for the purpose of land needs assessments, analysis should be based on appropriate high-level analysis to allow a general policy framework to be established with appropriate policies that protect strategic areas. Detailed implementation planning (i.e. land use, heights, zoning, and urban design) should not be required as part of the land needs assessment process. Clarification on the detailed work and timing for completion of all strategies and analysis referenced in the Methodology should be provided. Specifically, details around the requirements including delineation of boundaries for policy areas such as Major Transit Station Areas.

If the Province requires detailed implementation planning to be completed as part of the land needs assessment, the implication is that the inputs to the Region's land budget may have to be modified and detailed planning would be completed in consultation with the local municipalities which would be a timely undertaking that could take many months and impact timing of bringing forward a recommended Growth Management ROPA to Council for adoption.

### **Standard Reporting**

The Province will require the completion of standard templates, tables, and explanatory texts as part of the process to document and finalize the land needs assessment. Regional staff will transfer the work completed through the Regions land budget into the standard templates and tables to be provided once a final methodology is released.

### **Provincial Involvement**

The Province has outlined a recommended approach to obtain Provincial input to the Land Needs Assessment prepared under the Methodology. This process includes Provincial review and support of inputs, assumptions, and draft reports prior to Council adoption and identifying the location of Settlement Area Boundary Expansions. This is generally consistent with Peel's current approach to consultation with Provincial staff. Additional consultation will be undertaken before making a final recommendation to Regional Council on the land budget and associated Official Plan amendment. Confirmation from the Province that the Region's approach will satisfy the Methodology and process will be requested.

## **PROPOSED LAND NEEDS ASSESSMENT METHODOLOGY FOR THE GREATER GOLDEN HORSESHOE**

However, this could affect the timing of bringing forward a recommended Growth Management ROPA to Council for adoption as planned for May 2018 if the Methodology is not available in a timely manner.

### **Employment Vacancy**

The Province hosted a technical briefing meeting on the Methodology on January 11, 2018. At the meeting, Provincial staff advised that vacancy factors for the purpose of employment supply were to be excluded from the Employment Area land needs calculation. It is not anticipated that this will have a significant impact on the Regions land budget. However, vacancy rates should be included in employment inventories as they represent a market reality that not all employment floor space will be occupied. Not recognizing appropriate vacancy rate assumptions could result in insufficient land and infrastructure to meet employment forecasts from a market choice perspective.

### **2016 Census**

The Methodology identifies the use of the 2016 Census as the baseline for all population, household, people per unit, and employment calculations in the land needs assessment. When the Region completed its land budget, the employment datasets from the 2016 Census were not released by Statistics Canada and 2011 Census data supplemented by growth modelling and employment surveys was used. Regional staff will be required to update the baseline data in the land budget with information from the 2016 Census. This refinement is not anticipated to impact the local municipal allocations.

## **4. Other Issues**

Staff have identified other issues that are associated with the Regional land budget and Growth Management Regional Official Plan Amendment.

### **GTA West Corridor Study**

The Province has announced that it will be accepting the GTA West Advisory Panel recommendation that a proposed highway in the GTA West Corridor is not the best way to address changing transportation needs.

The Province will be protecting a narrower corridor (1/3 the size of the Environmental Assessment analysis area) identified by the Northwest GTA Corridor from development while infrastructure needs such as utilities, transit, and transportation options are assessed. The transportation needs of the corridor will be assessed through the Greater Golden Horseshoe Transportation Plan study which is underway. The Northwest GTA Corridor Study is being undertaken by the Ministry of Transportation, the Independent Electricity System Operator, with support from the Ministry of Energy, and is not being conducted as an Environmental Assessment.

## **PROPOSED LAND NEEDS ASSESSMENT METHODOLOGY FOR THE GREATER GOLDEN HORSESHOE**

Due to the announcement, Regional staff will re-evaluate matters including corridor protection policies, population and employment growth allocation, employment strategies and transportation infrastructure. This outcome will cause delays in advancing the Growth Management and Transportation Regional Official Plan Amendments, infrastructure master plans and a new Development Charges By-law which had been planned for mid 2018. Staff plan to report to Council once the impact of the announcement is fully assessed and discussed with stakeholders including local municipalities in Peel and adjacent municipalities in York and Halton Regions.

### **Ninth Line ROPA**

The Ministry of Municipal Affairs (the Ministry) staff has advised that advancing the proposed Ninth Line Lands Regional Official Plan Amendment seems premature prior to the completion of the mandatory 2041 land needs assessment. As requested by Council on January 11, 2018 a letter from the Regional Chair, the Mayors of Brampton, Caledon and Mississauga, and the Ward Councillors was sent to the Minister of Municipal Affairs requesting that the Ministry revisit their comments. As a follow up to the letter, the Ministry has requested a meeting with Regional and Mississauga staff.

Staff will continue to work towards bringing forward the Ninth Line ROPA to be submitted for adoption by Council early this year recognizing the depth and breadth of work undertaken to plan for growth to 2031. The Ninth Line lands are a logical extension of the existing communities in Mississauga, and it adds more jobs and addresses housing needs with access to two planned transit stations. The proposed response letter recommends the Methodology provide flexibility to consider appropriate land needs assessment work that is long underway based on 2031 needs provided 2041 allocations and targets are not compromised. Specifically, the comprehensive planning work undertaken by the Region of Peel and City of Mississauga for the Ninth Line Lands should be accommodated.

## **5. Next Steps**

Regional staff will continue with the process to advance the Growth Management Regional Official Plan Amendment to provide an updated growth management framework to support planning, infrastructure, and finance decision making to manage growth and address the Region's growth related infrastructure deficit. Staff will consult with the Province on the Land Needs Assessment Methodology and encourage them to recognize the Region's comments in the final version.

Release of the final version of the Methodology is not expected until April 2018 at the earliest. This timing could affect the timelines for finalizing Peel's growth allocations required as input to the Region's growth management work. In addition, staff will assess the implications of the provincial announcement on the GTA West Corridor Study and re-evaluate the process and timelines to advance the work plan. The re-evaluation is necessary to ensure an updated growth management framework based on the best information available is in place to support planning, infrastructure, and finance decision making to manage growth and address the Region's growth related infrastructure deficit.

**PROPOSED LAND NEEDS ASSESSMENT METHODOLOGY FOR THE GREATER GOLDEN HORSESHOE**

Staff will incorporate any additional comments that Council may have on the Proposed Methodology at the February 22, 2018 Council meeting.



Janette Smith, Commissioner of Public Works



Stephen VanOfwegen, Commissioner of Finance and Chief Financial Officer

**Approved for Submission:**



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D. Szwarc, Chief Administrative Officer

**APPENDICES**

Appendix I - Staff Comments on the Proposed Land Needs Assessment Methodology

*For further information regarding this report, please contact Arvin Prasad MPA, RPP, MCIP, Director Integrated Planning, extension 4251, [arvin.prasad@peelregion.ca](mailto:arvin.prasad@peelregion.ca).*

*Authored By: Duran Wedderburn, Principal Planner, Integrated Planning*

February 26, 2018

Aidan Grove-White  
Manager  
Ministry of Municipal Affairs and Housing  
Ontario Growth Secretariat  
Partnerships and Consultation Branch  
1 Dundas Street West  
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Toronto ON  
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and

Ontario Growth Secretariat  
Ministry of Municipal Affairs  
1 Dundas Street West, 25th Floor  
Toronto, ON M5G 1Z3

Re:  
Proposed Methodology for Land Needs Assessment for the Greater Golden Horseshoe (EBR 013-2016)

Thank you for the opportunity to comment on the Proposed Methodology for Land Needs Assessment for the Greater Golden Horseshoe (Proposed Methodology).

The Region of Peel is currently undertaking its comprehensive review of the Regional Official Plan. To support this work the Region has developed a land budget which demonstrates how growth will be accommodated in the Region to the year 2041 in accordance with the Growth Plan, 2017. Before the Region can move forward with its land budget, a final land needs assessment will have to be released by the Province. We encourage the Ministry to move forward quickly with a final Land Needs Assessment Methodology to provide certainty for municipalities in a key part of the municipal planning, infrastructure and finance processes. We have the following specific comments and requested revision to the Proposed Methodology.

#### **Comments and Requested Revisions**

With respect to **EBR 013-2016**, please see the following comments from the Region of Peel:

- The Proposed Methodology provides a definition of Designated Greenfield Areas (DGA) that includes all lands in Undelineated Built-up Areas (undelineated areas) as part of the DGA.

Undelineated areas are traditionally planned as low-density rural settlements and should not be included as part of the DGA or counted against the achievement of the minimum greenfield density target. The

inclusion of undelineated areas land in minimum density calculations would result in the lower planned densities of undelineated areas having to be off-set by higher densities on other existing DGA lands. Such an off-set would be arbitrary depending on the historical context of rural settlement development in a given regional municipality with no ability for a municipality to influence the outcome of the calculation since rural settlements are not going to be a focus of any further growth or intensification based on existing policy, infrastructure requirements and good planning principals.

Therefore, undelineated areas should be included as part of the “Rural Area’ for the purpose of land needs assessments as they have a similar planning context, lower densities, limited growth is directed to these areas through policy, and other constraints such as limited infrastructure capacity and access to urban areas. This approach would be consistent with the approach for intensification targets in which the proposed methodology appropriately does not include growth in the undelineated areas towards the intensification target calculation.

- One of the inputs to the Proposed Methodology is the identification of an intensification target through intensification analysis. However, the Proposed Methodology also refers to the completion of an Intensification Strategy. Clarification from the Province is required to confirm that there is no requirement for detailed implementation planning to be completed at this stage to support the land needs assessment.

Intensification analysis for the purpose of land needs assessments should be based on an appropriate high-level capacity analysis with detailed implementation planning to follow. Clarification of the detailed work required for all strategies and analysis referenced in the Proposed Methodology should be provided. Specifically, details around the requirements for policy areas such as Major Transit Station Areas should be clarified such that a high level capacity approach should be used by upper tier municipalities for Land Needs Assessment purposes with more detailed implementation planning to follow.

- The Proposed Methodology for land needs assessment uses vacant dwellings and unoccupied dwellings as part of the calculation for determining Community Area land needs. A consistent approach should be utilized for Employment Areas with respect to allowing for employment vacancy rates to be included as part of the land needs calculation. A failure to recognize appropriate assumptions for real vacancy rates that exist now and will exist in the future could lead to under planning for the land and infrastructure needed for employment growth.
- The Proposed Methodology should explicitly recognize that long term planning is not starting from scratch with the introduction of a methodology by the Province and that municipalities have been doing extensive comprehensive land needs evaluations based on the Growth



Plan policies, principles and targets for over a decade. As such, the Proposed Methodology should provide some flexibility through the Provincial consultation process to consider appropriate land needs assessment work that demonstrates land needs based on 2031 needs provided 2041 allocations and targets are not compromised. Specifically, the comprehensive planning work undertaken by the Region of Peel and City of Mississauga should be accommodated.

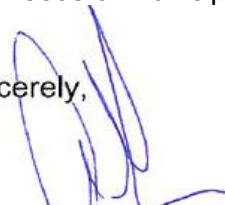
- The Province provides for a recommended approach to the approval of a draft land needs assessments, which includes Provincial approval of the draft land needs assessment prior to council adoption.

This approach should be clarified to recognize the involvement of Council to assist in formulating a local position before engaging the Province with a draft.

- The Region is currently undertaking its municipal comprehensive review and the timely release of the land needs assessment will allow the Region to advance its comprehensive review. The Province should expedite the release of the final methodology and commit to releasing a final version 30 days after the comment period has closed.

The Region of Peel supports the Province in its efforts to deliver a consistent and transparent approach to determine land needs in accordance with the Growth Plan, 2017. The Province should ensure that the methodology reflects the directions of the Growth Plan while recognizing the local context and needs of municipalities.

Sincerely,



Adrian Smith, RPP, MCIP  
Acting Director,  
Growth Management  
Finance Department  
Region of Peel



Arvin Prasad, MPA, RPP, MCIP  
Director,  
Integrated Planning Division  
Public Works  
Region of Peel