
DATE: June 10, 2005

SUBJECT: **PLANNING POLICY AND RESEARCH
REGIONAL OFFICIAL PLAN STRATEGIC UPDATE (ROPSU) REGIONAL
OFFICIAL PLAN AMENDMENT NO.15 - AMENDMENT TO EXTEND THE
REGIONAL URBAN BOUNDARY TO INCLUDE THE LANDS IN NORTHWEST
BRAMPTON**

FROM: Nick Tunnacliffe, Commissioner of Planning

RECOMMENDATION

That a by-law be enacted to adopt Regional Official Plan Amendment No.15 – Amendment to Extend the Regional Urban Boundary (Northwest Brampton), attached as Appendix I to the report of the Commissioner of Planning dated June 10, 2005, titled “Regional Official Plan Strategic Update (ROPSU): Adoption of Regional Official Plan Amendment No.15 – Amendment to Extend the Regional Urban Boundary” to include the lands in Northwest Brampton.

And further that Regional Council deems Amendment No.15 to be consistent with the 2005 Provincial Policy Statement.

And further, that this report be forwarded for information, to the Ministry of Municipal Affairs and Housing (MMAH), the City of Brampton, Town of Caledon, City of Mississauga, Halton Region and Town of Halton Hills.

And further, that notice of decision of Council’s adoption of Amendment No.15 be given in accordance with the Planning Act.

**PLANNING POLICY AND RESEARCH
REGIONAL OFFICIAL PLAN STRATEGIC UPDATE (ROPSU) REGIONAL OFFICIAL PLAN
AMENDMENT NO.15 - AMENDMENT TO EXTEND THE REGIONAL URBAN BOUNDARY
TO INCLUDE THE LANDS IN NORTHWEST BRAMPTON**

REPORT HIGHLIGHTS

- Regional staff is recommending adoption of Proposed Regional Official Plan Amendment No. 15 based on studies in support of the urban boundary expansion and on consideration of the comments received to date from the agencies consulted.
- Although at the time of writing, the Province, Halton Region, and the Town of Halton Hills had not provided their comments formally on Amendment No.15, it is appropriate to proceed with adoption of Amendment No. 15 as the various public bodies had significant opportunity to provide input into the five-year planning process preceding this formal application.
- Staff have analyzed all comments received to date and have explained how they have been addressed (see Appendix III).
- ROPA 15, which has been revised to address the comments received to date, is attached as Appendix I.

DISCUSSION

1. Background

On March 10, 2005, the Region accepted the City of Brampton's application requesting the Region to amend the Regional Official Plan (ROP) to extend the Regional Urban Boundary to include the northwest Brampton lands, approximately 2430 hectares (6000 acres), and to designate all of it as part of the Region's Urban System (see Schedule D in Appendix I).

The City's request to amend the ROP is based on a review of the urban boundary that was initiated in March 2000, and the conclusions of the following background studies that were completed in two phases: Employment and Residential Land Demand Study; Shale Resource Study; Transportation Infrastructure Review; Water and Wastewater Infrastructure Review; Environmental and Open Space Study; Agriculture; and Municipal Finance, including the second phase study of Sewer and Waste Water Servicing that was carried out by Regional Public Works Department staff.

On April 14, 2005 Regional Council endorsed the following two recommendations in the Staff Report dated April 6, 2005 on Brampton's application to amend the ROP (ROPA 15):

"That the draft amendment to the Regional Official Plan (ROP) submitted by City of Brampton to have the Regional Urban Boundary extended to include the Northwest Brampton lands be circulated to appropriate agencies and to City of Brampton, Town of Caledon and City of Mississauga for their review and comments";

"And further, that the statutory public meeting to present the draft amendment to the Regional Official Plan for Northwest Brampton be held at a special meeting of Regional Council immediately prior to the General Committee meeting scheduled for May 19, 2005".

In addition, staff proposed to retain the services of a consulting firm to undertake a study to determine whether this application is consistent with the 2005 Provincial Policy Statement (PPS) and meets the applicable criteria for an urban boundary expansion.

**PLANNING POLICY AND RESEARCH
REGIONAL OFFICIAL PLAN STRATEGIC UPDATE (ROPSU) REGIONAL OFFICIAL PLAN
AMENDMENT NO.15 - AMENDMENT TO EXTEND THE REGIONAL URBAN BOUNDARY TO
INCLUDE THE LANDS IN NORTHWEST BRAMPTON**

a) Circulation of Proposed Draft ROPA 15 and Responses

On April 15, 2005, Regional Planning staff circulated the proposed Draft ROPA 15 to the following plan review agencies and requested them to provide their comments by May 19, 2005:

Ministry of Municipal Affairs and Housing (MMAH, the Provincial One Window Agency); Niagara Escarpment Commission (NEC); Credit Valley Conservation (CVC); City of Brampton, Town of Caledon, City of Mississauga, the two school boards; CN Rail; GO Transit; the utility companies and to all of the upper-tier and lower-tier municipalities adjacent to Peel Region. The list of agencies to which we circulated ROPA 15 is attached in Appendix II.

On April 21, 2005 City staff circulated the related Background Reports and the draft Brampton OPA 93-245 to these agencies for their review.

On May 20th, Regional staff circulated the proposed Draft ROPA 15 to the Peel Police Services Board, Credit Valley Hospital, Trillium Health Centre and William Osler Health Centre for their review and comments. We have not received comments from any of these agencies to date.

b) Response to Circulation

CVC, City of Mississauga, the two School Boards, NEC, CN Rail, GO Transit, Bell Canada and Trans Canada Pipelines, have responded to date. Copies of the comments received from these agencies are in the attached Appendix II to this report.

The MMAH, Halton Region, Town of Halton Hills, and Town of Caledon have not provided their comments formally on ROPA 15. However, Regional staff received a staff position from the Region of Halton, and a staff report from the Town of Caledon. Both reports have been considered by Regional staff. MMAH staff has indicated its comments will be available by mid - late June 2005.

Planning staff analysis of all of the comments received to date and responses are noted in the attached Appendix III to this Report. The following, however, is a summary of the comments received to date:

CVC: On May 13, 2005 CVC recommended support for ROPA 15 and to the corresponding Amendment No.93-245 to the City of Brampton Official Plan subject to conditions pertaining to the approval of the Environmental and Open Space Study, subwatershed studies, changes to Figure 1 (Flowchart) entitled "Timeline - Environmental and Planning Studies, Northwest Brampton, Mount Pleasant Lands", to OPA 93-245, which identifies certain CVC studies to reflect the sequence of environmental work and corresponding planning work, including any changes it would require to CVC's approval, and the location of the proposed trunk sewer along Creditview Road.

Subsequent to a meeting of staff of CVC, City of Brampton, Peel Region, and the landowners on May 18, 2005 agreement has been reached on the specifics of future

**PLANNING POLICY AND RESEARCH
REGIONAL OFFICIAL PLAN STRATEGIC UPDATE (ROPSU) REGIONAL OFFICIAL PLAN
AMENDMENT NO.15 - AMENDMENT TO EXTEND THE REGIONAL URBAN BOUNDARY TO
INCLUDE THE LANDS IN NORTHWEST BRAMPTON**

environmental studies and the six stages of planning approval as discussed in Section 5 of this report. CVC staff will be presenting the revised policies to the CVC Board of Directors at their next meeting on June 10, 2005.

CVC's concerns were to have been addressed in the proposed OPA 93-245 to the Brampton OP, which was adopted by City Council on May 25, 2005. However, CVC staff has noted a few omissions and errors which have been acknowledged by Brampton staff. Since Brampton's OPA will require the approval of the Region, any remaining issues can be addressed through modification to the OPA by the Region at the time of issuing a decision. Staff will consult with the City on the proposed modifications to OPA 93-245.

City of Mississauga: On May 11, 2005 Mississauga Council endorsed staff recommendations outlined in the report dated April 18, 2005 that the subject amendment not be approved until: growth forecast studies that are underway in Mississauga and Caledon are completed; development capacity in the existing built-up area and on remaining greenfield lands in Peel is determined; the Provincial Growth Plan for the Greater Golden Horseshoe is approved; and a Sub Area Growth Strategy is prepared and approved. In addition, the City expressed concerns with regard to compensation for downstream impacts on Fletcher's Creek and the Credit River resulting from development, the location of the Credit Valley trunk sewer and the preparation of subwatershed studies and transportation studies.

The majority of the concerns raised by the City of Mississauga will be addressed at the subsequent planning stages by Brampton, CVC, and the Region. As noted later in this report, Hemson Consulting Limited was retained by the Region to confirm whether ROPA 15 is consistent with the PPS and meets the requirement for a comprehensive review of the urban boundary.

The Growth Outlook for the Greater Golden Horseshoe (GGH), January 2005 and the Draft Places to Grow Plan, February 2005, call for substantial growth in Peel Region and in the City of Brampton between now and 2031. The Places to Grow Plan is still in draft form and has no effect until regulations are proclaimed under the Places to Grow Act. However, the new PPS has criteria that a municipality must adhere to in considering an urban boundary expansion. Hemson Consulting Limited has concluded that this application meets the requirements of the 2005 PPS.

The Region received a copy of the following resolution passed on May 30, 2005, by the City of Mississauga's Planning and Development Committee:

"That the Council of the City of Mississauga advise the Chair of the Region of Peel that, due to several outstanding issues, Mississauga strongly objects to Regional Official Plan Amendment 15, Regional Urban Boundary, going before Regional Council on June 16, 2005 as indicated in the report dated April 6, 2005 from the Regional Commissioner of Planning."

A copy of the above noted resolution is attached as Appendix IV.

School Boards: Both school boards do not have any specific comments. The Peel Board of Education has indicated the number of schools that would be required to serve

**PLANNING POLICY AND RESEARCH
REGIONAL OFFICIAL PLAN STRATEGIC UPDATE (ROPSU) REGIONAL OFFICIAL PLAN
AMENDMENT NO.15 - AMENDMENT TO EXTEND THE REGIONAL URBAN BOUNDARY TO
INCLUDE THE LANDS IN NORTHWEST BRAMPTON**

the forecasted growth in NW Brampton for each of the growth scenarios. The Dufferin-Peel Catholic District School Board has also indicated the number of schools that would be required to serve the forecasted growth.

The City of Brampton will consult with the school boards during the subsequent planning stages, and sites for school facilities will be identified and designated accordingly.

NEC: On May 19, 2005 the NEC endorsed the recommendations made by its staff. They recommended that a decision on this amendment be delayed until the Growth Plan for the GGH and a Provincial Mineral Aggregate Resource Strategy are in place.

Since the Places to Grow Plan is still in draft form there is no need to wait until it is in place prior to Regional Council adopting ROPA 15. It should be noted that ROPA 15 provides for the protection of the shale resource for extraction in advance of urban development, while balancing the need to provide lands for future urban development.

CN Rail: CN rail has requested the Region and the City to include policies in the two OPAs addressing the protection of its facilities from proposed development.

Regional staff is of the opinion that CNR's comments can be addressed by Brampton at subsequent stages of the planning process that need to be followed for development to proceed.

GO Transit: Supports the proposed community around the new Mount Pleasant GO Station, and has requested policies to protect its facilities and operation and also for the construction of a train storage facility, be included.

Regional staff is of the opinion that GO Transit's concerns can be addressed by Brampton at subsequent stages of the planning process that need to be followed for development to proceed.

Bell Canada: Bell has recommended the inclusion of policies that would enable Bell to provide additional or more sophisticated communication/telecommunication services than would normally be required to serve Northwest Brampton.

Regional Staff is of the opinion that Bell Canada's concerns can be addressed by Brampton at subsequent stages of the planning process that need to be followed for development to proceed.

MMAH: The MMAH is responsible for providing "one-window" comments to municipalities on planning applications. The "one window" comments take into account the comments and concerns raised by all Provincial Ministries in their review of a development application. A formal "one-window" comment has not been received however, MMAH staff has advised that their comments will be available by mid-late June 2005.

In a letter dated March 25, 2005 staff of MMAH confirmed that the shale resource within Northwest Brampton is of Provincial significance and must be protected as required by the 2005 PPS. Accordingly, they stated that consideration should be given to the extent (i.e. more than 25%) of the shale resource to be protected, including the consideration of

**PLANNING POLICY AND RESEARCH
REGIONAL OFFICIAL PLAN STRATEGIC UPDATE (ROPSU) REGIONAL OFFICIAL PLAN
AMENDMENT NO.15 - AMENDMENT TO EXTEND THE REGIONAL URBAN BOUNDARY TO
INCLUDE THE LANDS IN NORTHWEST BRAMPTON**

a phasing and staging program for potential urbanization of lands which are not to be identified for resource extraction.

The revised ROPA 15 includes a policy which provides for the protection of the provincially significant shale resource to the satisfaction of the Province and the Region. The Region will request MMAH to assist us and the City, in the form of advice and/or financial aid, in identifying the amount of land and the shale resource areas that need to be protected. Once the area is identified, the City will be required to designate the area accordingly in a subsequent amendment to the City's Official Plan. The Region will ensure that Brampton OPA 93-245 is modified to conform to ROPA 15.

The Region's position is to require the protection of the shale resource in Northwest Brampton consistent with the approach taken to protecting aggregate resources in the Town of Caledon.

Schedule C to the ROP identifies the High Potential Mineral Aggregate Resource Areas (HPMARA). This is not a land use designation. The ROP requires the area municipalities to designate land for resource extraction in their respective official plans. Once the area to be protected is designated accordingly in the Brampton Official Plan at a future date, the HPMARA classification on the Northwest Brampton lands on Schedule C can be amended.

Halton Region: Halton Region's staff comments were received on June 2nd. They have suggested the following: a) that a decision on ROPA 15 not be made until all stakeholders can evaluate the results of the Hemson Report on whether the ROPA meets the requirements of the 2005 PPS; b) that the shale resource be protected as suggested by MMAH in their letter of March 24, 2005; and c) it is premature to show the conceptual North-South Transportation Corridor on Schedule E, until such time as the Environmental Assessment is approved in consultation with the Ministry of Transportation and the Region of Halton.

There is no requirement for Peel Region to seek Halton Region's comments on the June 2005 Hemson Report. The Terms of reference for the Hemson study was prepared in consultation with senior staff of the three local municipalities. It supports ROPA 15 and confirms that it is consistent with the 2005 PPS.

It is not premature to show the North-South Transportation Corridor conceptually on Schedule E to ROPA 15. The portion within Halton Region is identified as "Conceptual North-South Corridor Study Area shown in Halton Region does not form as part of this Plan". Peel Region and City of Brampton must obtain all required approvals, including an Environmental Assessment, before proceeding with this undertaking.

Policies in ROPA 15 call for the protection of the shale resource as required by MMAH.

Town of Caledon: In their report to Council, Caledon staff has identified three broad areas of interest in ROPA 15. They are: a) the Northwest Brampton urban boundary expansion can be justified based on the earlier forecasts associated with ROPA 8 and therefore sees no purpose in having to justify the unsubstantiated forecasts from a "draft" growth plan that has no status; b) ensure that if and when Bramwest Parkway/North-South Corridor terminates at Mayfield Road, that sufficient

**PLANNING POLICY AND RESEARCH
REGIONAL OFFICIAL PLAN STRATEGIC UPDATE (ROPSU) REGIONAL OFFICIAL PLAN
AMENDMENT NO.15 - AMENDMENT TO EXTEND THE REGIONAL URBAN BOUNDARY TO
INCLUDE THE LANDS IN NORTHWEST BRAMPTON**

transportation planning has occurred so that this terminus does not result in any negative impacts on Caledon roads/communities; and c) given the 1000 year supply of shale in the local market area, neither Brampton nor Caledon need to protect as much shale as currently being identified.

Notwithstanding the earlier forecasts, Hemson's forecast is based on 2001 Census data, recent growth rates, and the provincial forecast for the GGH. They are more up-to-date and have been useful in addressing the requirements of the 2005 PPS. The new forecast up to 2031 has only changed the forecast for the urban system. With regard to b), the town's concern will be addressed in the next round of studies on transportation. On c), the Region's position to protect the shale resource as per policies in ROPA 15 is consistent with the Town's position.

c) Statutory Public Meeting

Notice of the Statutory Public Meeting held on May 19, 2005 appeared in the April 20, 2005 editions of the Brampton Guardian, Caledon Enterprise, and Mississauga News. In addition, direct notice was given by mail to over 200 property owners within the Northwest Brampton lands, as per Council and the Regional ward councilor's request.

At the public meeting, several delegates spoke both in favour of and opposed the development. Staff has addressed comments received in Appendix III. The minutes of the public meeting are found in Appendix VII.

d) Report submitted by Hemson Consulting Limited

On April 19, 2005 Regional staff retained Hemson Consulting Limited to determine whether ROPA 15 to expand the regional urban boundary is consistent with the new PPS and whether or not it meets the applicable comprehensive review criteria.

Hemson Consulting was retained because of their expertise in this area given the growth forecast work done recently by them for the Province (GGH), and their work for the Cities of Brampton and Mississauga. The Region received input from senior staff of the three area municipalities, through ROPSU TAC, on the Terms of Reference for the study and during the study process. Three meetings were held with the consultant in attendance during the process.

The Northwest Brampton Urban Boundary Study, Hemson Consulting Limited, dated June 2005 confirms that the proposed amendment to expand the Regional Urban Boundary is consistent with the new PPS and meets the applicable comprehensive review criteria. A copy of Hemson's report is attached as Appendix V.

2. Regional Official Plan

Regional Council adopted the current ROP on July 11, 1996. It sets out policies for a 25-year planning period ending in 2021 for an Urban System and for a Rural System. Table 1 in the ROP shows the population and employment forecasts for the planning period. The ROP was approved by the Ministry of Municipal Affairs and Housing and by the OMB in 1997 and 1998, respectively.

**PLANNING POLICY AND RESEARCH
REGIONAL OFFICIAL PLAN STRATEGIC UPDATE (ROPSU) REGIONAL OFFICIAL PLAN
AMENDMENT NO.15 - AMENDMENT TO EXTEND THE REGIONAL URBAN BOUNDARY TO
INCLUDE THE LANDS IN NORTHWEST BRAMPTON**

On March 21, 2002, Regional Council determined the need for a scoped five-year review of the ROP and initiated the Region of Peel Official Plan Strategic Update (ROPSU). Since the City process of reviewing the potential of an urban boundary expansion into Northwest Brampton had already been underway for two years, a parallel review component was integrated into the ROPSU process. A joint approach evolved through ROPSU and the City's process to deal with the ongoing and additional Northwest Brampton studies. Brampton's request to amend the ROP is therefore part of ROPSU and specifically fits into one of the primary ROPSU focus areas agreed to by Regional Council at the outset of its process, namely, the Urban Structure of the Region.

The ROP identifies all of the Northwest Brampton lands as part of the Rural System as shown on Schedule D, Regional Structure.

Policy 5.2.2 in the ROP states that any change to the 2021 Regional Urban Boundary as identified on Schedule D (aside from minor adjustments) will require an amendment to the Plan. Policy 7.9.2.8 requires a comprehensive analysis for certain changes to the Plan, including a proposed amendment to the 2021 Regional Urban Boundary.

As noted in the April 6, 2005 staff report, matters set out in section 7.9.2.8 have been addressed through the studies that have been completed to date. Concerns coming out of these studies have been addressed either in ROPA 15 and or will be addressed in Brampton OPA 93-245.

It should also be noted that the General Objectives and General Policies in Section 5.3, Urban System, in the ROP apply to development in Northwest Brampton. For example, the policies require: development and redevelopment to proceed consistent with growth management and phasing strategies and the planned provision of necessary services, where appropriate; and support pedestrian-friendly and transit-supportive urban development, particularly by addressing appropriate residential densities.

3. ROPSU Urban Structure Review

As part of the ROPSU process, Peel's population, household and employment forecasts and urban land supply to 2031 were examined by Regional staff in consultation with staff of Brampton, Caledon and Mississauga through ROPSU TAC. The conclusions of this review are provided below.

The existing population and employment forecasts in the ROP are based on 1996 Census data and have a time horizon of 2021. In the last five years, Peel has experienced rapid growth which has exceeded the assumptions of the existing forecasts. By mid-2005, Peel's population is estimated to be about 20,000 people higher than the ROP forecast. Mississauga has already reached and exceeded its ROP forecast of 681,000 people for 2011. Therefore, staff are of the opinion that it is appropriate to update the ROP forecasts to reflect 2001 Census data and recent high growth in Peel.

Updated forecasts based on the 2001 Census and taking into account recent growth are included in the draft Places to Grow Plan and predict that Peel's population will grow to 1.57 million by 2031, excluding the Census undercount. Including the Census undercount, the

**PLANNING POLICY AND RESEARCH
REGIONAL OFFICIAL PLAN STRATEGIC UPDATE (ROPSU) REGIONAL OFFICIAL PLAN
AMENDMENT NO.15 - AMENDMENT TO EXTEND THE REGIONAL URBAN BOUNDARY TO
INCLUDE THE LANDS IN NORTHWEST BRAMPTON**

population is forecasted at 1.64 million in Peel. As part of the Northwest Brampton Urban Boundary Study, June, 2005, Hemson developed updated forecasts for Brampton, Caledon and Mississauga based on the Greater Golden Horseshoe forecasts. These forecasts for Brampton, Mississauga and Caledon are set out in Table 1 of ROPA 15 and are intended to replace the existing forecasts in the ROP. Northwest Brampton is included in the new forecasts.

By adding the 2021 population forecast for Caledon to the 2031 forecasts for Brampton and Mississauga in ROPA 15, the result is a total of 1.51 million people for 2031 for Peel. This is less than the Greater Golden Horseshoe forecast for Peel of 1.57 million people for 2031. With the number of initiatives underway which affect how Peel may accommodate the forecast population, households and jobs, staff of the Region and the area municipalities are of the opinion that it is prudent at this time for Council to adopt less than the full Greater Golden Horseshoe forecast. The initiatives underway which affect Peel's forecast include: Provincial finalization of the Places to Grow legislation followed by a growth plan; Mississauga's review of its forecasts and its intensification opportunities; and, Caledon's review of its forecasts, growth management strategy, and the Mayfield West and the South Albion-Bolton community studies. Once these initiatives are more fully developed, Council will be better able to assess how and whether the additional 60,000 people (1.57-1.51 million people) in the Greater Golden Horseshoe's forecast for 2031, not included in ROPA 15 may be accommodated in Peel. Planning staff will report to Council at a later date on the need for updated Peel-specific forecasts, including the requirement for such forecasts as part of the next Development Charges By-law review.

The high growth rate in Peel has resulted in a rapid depletion of the Region's urban land supply. Hemson's Northwest Brampton Urban Boundary Study concludes that the current designated land supply in Peel, including the potential for intensification, cannot accommodate the long-term growth forecast. In the absence of Northwest Brampton, Peel will soon be nearing a 10-year supply of designated and available residential land which is the minimum required by the PPS. Considering the 5 to 10-year lead time required to complete environmental planning, including environmental assessments, official plan amendments, secondary plans, block plans and subdivision approvals, before land can be brought onto the market, staff are of the opinion that it is appropriate to expand the urban boundary now to allow the more detailed planning work in Northwest Brampton to proceed.

4. Proposed ROPA 15

The proposed ROPA 15 attached as Appendix I, has been revised by Regional staff to address concerns raised by agencies that have responded to date, as well as Regional concerns. Brampton and Caledon members of ROPSU TAC have met with Regional staff to review the proposed ROPA 15 on a line-by-line basis. All ROPSU TAC members, including the City of Mississauga, were provided advance copies of the proposed ROPA 15 for comment.

ROPA 15 proposes to extend the current Regional Urban Boundary to include the Northwest Brampton lands and amends the planning horizon for the Urban System from 2021 to 2031. The planning horizon for the Town of Caledon is not amended. ROPA 15 introduces a new Table 1 showing population, household and employment forecast in Peel's Urban System up to 2031, and the Town of Caledon up to 2021. It also includes a

**PLANNING POLICY AND RESEARCH
REGIONAL OFFICIAL PLAN STRATEGIC UPDATE (ROPSU) REGIONAL OFFICIAL PLAN
AMENDMENT NO.15 - AMENDMENT TO EXTEND THE REGIONAL URBAN BOUNDARY TO
INCLUDE THE LANDS IN NORTHWEST BRAMPTON**

section entitled Northwest Brampton Lands with objectives and policies to ensure development is based on sound growth management principles and key Regional objectives. In addition, it proposes to amend Schedules A to H to reflect the new Regional Urban boundary.

The proposed objectives call for the following: provide for a significant portion of Peel's growth; protection of environmental features of Provincial and Regional significance; provide for major infrastructure while minimizing the fiscal impact on Peel; achieve orderly, cost effective and timely development; and protection of the provincially significant shale resource in advance of urban development.

The proposed policies require the following: completion of subwatershed studies and designation of a related natural heritage system to the satisfaction of CVC; phasing of development to ensure the orderly progression of development into Northwest Brampton in relation to the ongoing development of lands within the existing urban boundary, and in accordance with the City's Growth Management program; allowing a Phase One of development based on the amount of development that can be supported by the existing and planned arterial road network; development of any subsequent phase be permitted to proceed only after the alignment, jurisdiction and financing mechanism of a viable North-South Transportation Corridor has been determined; a policy providing opportunity afforded by the Mount Pleasant Go Station to provide significant transit service and the development of transit-supportive land uses and densities; protection of the shale resource in advance of development, recognizing that all of Northwest Brampton lands will eventually need to be urbanized to accommodate growth to the year 2031; and providing measures to minimize the financial impact of development on the Region.

Furthermore it should be noted that Section 4.11.2 in the Brampton Official Plan contains detailed phasing policies. Development in Northwest Brampton will be subject to these policies. For example, they require the following matters to be addressed before allowing development to proceed: financing; servicing (water and wastewater); transportation; parkland and community services; housing needs; environment; and school-related concerns. We understand that the City is proposing to amend its Official Plan to incorporate new policies on growth management. Once these policies are in place, they would apply to Northwest Brampton lands.

5. City of Brampton Official Plan Amendment

The Official Plan for the City of Brampton designates the Northwest Brampton land Agriculture. Schedule F – Public Utilities and Resources to the Brampton Official Plan identifies a significant portion of these lands as a Shale Resource Area.

The City drafted an OPA which proposes to redesignate these lands from Agriculture to Northwest Brampton Urban Development Area and Special Study Area. The proposed amendment sets the framework for the eventual phased development of these lands through six stages of planning approval. The six stages include: completion of three subwatershed studies to the satisfaction of CVC; the establishment of a general land use designation once a Natural Heritage System has been determined through an approved subwatershed studies; adoption of secondary plans based on approved subwatershed studies; completion of an Environmental Implementation Report for each block plan area;

**PLANNING POLICY AND RESEARCH
REGIONAL OFFICIAL PLAN STRATEGIC UPDATE (ROPSU) REGIONAL OFFICIAL PLAN
AMENDMENT NO.15 - AMENDMENT TO EXTEND THE REGIONAL URBAN BOUNDARY TO
INCLUDE THE LANDS IN NORTHWEST BRAMPTON**

the adoption of a block plan for a defined sub-area of a secondary plan in accordance with the growth management and block planning policies; and satisfying all other related growth management considerations.

In addition to the above, OPA 93-245 also provides for the need to address all transportation needs including protection of an area for a North-South Transportation Corridor, interim extraction of shale to occur through the appropriate approval process and complete rehabilitation prior to development, and for the development of the Mount Pleasant Transit Oriented Community with the new GO Transit station as the centrepiece.

The City held a statutory public meeting on their OPA on March 21, 2005. The City circulated the OPA to relevant agencies for their review and comment.

On May 26, 2005 Council of the City of Brampton adopted the corresponding proposed Amendment No.93 (93-245) to the Brampton Official Plan. A copy of OPA 93-245 is attached as Appendix VI.

The City has submitted OPA 93-245 to the Region for approval. It must conform to the Regional Official Plan. Therefore, ROPA 15 must come into effect before the City's amendment can be approved. Staff will review OPA 93-245 and recommend its approval with appropriate modifications to bring it into conformity with ROPA 15, and also to address a few matters, such as the issues of CVC's requirements and shale protection. The policies in ROPA 15 as well as those in the City's OPA 93-245 provide for the protection and rehabilitation of this Northwest Brampton shale resource in advance of the ultimate urbanization as per the 2005 PPS. By letter dated March 24 staff of MMAH stated the need to protect more than 25% of this resource due to proximity to market and that such extraction of this resource is considered to serve a greater long-term public interest, with eventual urbanization.

Brampton's adopting by-law for OPA 93-245 provides that such adoption will take effect on the date Regional Council adopts ROPA 15. As OPA 93-245 does not conform to the ROP, the Region's exemption By-law No. 1-2000 requires its approval by the Region. Given the significant staff effort that the City and the Region have devoted to the Northwest Brampton Expansion Study process over the last five years, Regional staff will move forward to recommend approval of the City's amendment notwithstanding that the *Planning Act* provides up to 180 days for approval.

6. Applicable New Provincial Policies and Legislation

a) Greenbelt Act

The Greenbelt Act 2005 which came into effect on December 16, 2004, established a Greenbelt Area and provided for the preparation of a Greenbelt Plan by the Province. The Provincial Greenbelt Plan is now in place.

With the exception of the Credit River Valley and a buffer area adjacent to this natural feature, the Northwest Brampton lands are not subject to the Provincial Greenbelt Plan.

**PLANNING POLICY AND RESEARCH
REGIONAL OFFICIAL PLAN STRATEGIC UPDATE (ROPSU) REGIONAL OFFICIAL PLAN
AMENDMENT NO.15 - AMENDMENT TO EXTEND THE REGIONAL URBAN BOUNDARY TO
INCLUDE THE LANDS IN NORTHWEST BRAMPTON**

The lands subject to the Provincial Greenbelt Plan are identified on Schedule A to ROPA 15. Regional staff will initiate a detailed ROP conformity exercise on the Greenbelt Plan in the future.

b) New Provincial Policy Statement

The new PPS came into effect on March 1, 2005. The 2005 PPS applies to all planning decisions, applications, matters or proceedings that are commenced on or after March 1, 2005, including decisions by municipal councils and the Ontario Municipal Board. Recent amendments to the Planning Act introduced in 2004 will require all decisions by municipal councils to be consistent with the 2005 Provincial Policy Statement. The standard for the new "shall be consistent with" sets a higher test than the previous "shall have regard to" standard.

Under Policy 1.1.3.9 of the 2005 PPS, a planning authority may allow for the expansion of a settlement area boundary only at the time of a comprehensive review and only when it has demonstrated that sufficient opportunities for growth are not available through intensification, redevelopment or in designated growth areas to accommodate the projected needs over the identified planning horizon.

According to the definition of "Comprehensive Review" in the new PPS, the Region, in the context of Northwest Brampton, is required to review and allocate growth projections to area municipalities, and utilize opportunities to accommodate growth through intensification and redevelopment, among other things. Accordingly, in order to ensure that the Region's decision to amend the ROP to extend the Urban Boundary is consistent with the 2005 PPS and meet the applicable comprehensive review criteria, Planning staff retained Hemson Consulting Limited to prepare a report to address this matter.

As stated earlier, the June 2005 report prepared Hemson Consulting concludes that ROPA 15 is consistent with the 2005 PPS and meets the "Comprehensive Review" criteria as defined. Regional planning staff has reviewed the findings of Hemson's report and the significant planning studies undertaken over the past five years regarding the proposed urban expansion. Regional planning staff is of the opinion that the comprehensive review requirement of the 2005 PPS has been met and that the proposed urban expansion is consistent with the 2005 PPS.

7. Adoption of ROPA 15

Staff recommends that Regional Council adopt ROPA 15. A significant number of agencies have responded to the circulation. Concerns that are broad in scope and particular to Northwest Brampton have been addressed in the attached ROPA 15. Other more specific concerns have either been addressed in OPA 93-245, for example, the detail process concerns of CVC, or will be addressed in detail in subsequent amendments to the Brampton Official Plan. MMAH, Halton Region, Town of Halton Hills, and Town of Caledon have not formally commented on ROPA 15. They have advised us as follows:

- MMAH staff has indicated that they will be able to provide comments by mid-late June 2005;

**PLANNING POLICY AND RESEARCH
REGIONAL OFFICIAL PLAN STRATEGIC UPDATE (ROPSU) REGIONAL OFFICIAL PLAN
AMENDMENT NO.15 - AMENDMENT TO EXTEND THE REGIONAL URBAN BOUNDARY TO
INCLUDE THE LANDS IN NORTHWEST BRAMPTON**

- Halton Region staff will be filing a report to Planning Committee on June 15, 2005 and to Council on June 22nd;
- Town of Halton Hills staff may take a report to their Council in late June 2005; and
- Town of Caledon Council has endorsed the staff report on ROPA 15, on June 7, 2005.

As part of the on-going updates to Regional Council on Northwest Brampton, Regional staff will prepare an information report to Council once all comments have been received. Regional staff has carefully considered the implications of proceeding with the subject application prior to receiving formal "one-window" comments from MMAH. It is evident that the main area of concern or comment from MMAH is likely to be regarding the shale issue. Regional staff have proposed that the need to provide for the protection of the shale resource be addressed through a requirement in ROPA 15, that the City's amendment provide for the protection of the shale resource in advance of urban development. We will request MMAH staff to assist the Region and the City in identifying the optimum shale resource area of Provincial Significance that should be protected until such time as the shale is utilized and rehabilitated for appropriate urban uses, or the urgency to proceed with urban development becomes a greater Provincial priority.

The other area that is likely to elicit MMAH comments is with respect to conformity to the PPS. As noted in the previous sections of this report, Regional Planning staff is satisfied that the work to - date on the subject application and the recent Hemson study, constitutes a "comprehensive review" as required by the PPS and that the proposed ROPA 15 is consistent with the policies in the 2005 PPS.

CONCLUSION

The rate of growth the City of Brampton has experienced lately and the recent growth forecasts completed by Hemson Consulting Limited for the City and for the Province identifies rapid population and employment growth in Peel Region and in the City between now and 2031. Hemson has estimated that all of the City's undeveloped residential greenfield lands inside the current 2021 urban boundary will be developed between 2015 and 2023 based on the City averaging anywhere from 4,500 to 6,500 building permits per year. Full build out of the City's undeveloped lands, including Northwest Brampton, would occur between 2023 and 2028. The recent decision by the City to consider placing a cap on new development to 5,500 residential units per year would place the above forecast timing in the mid-range, but would not have a significant impact on the rapid development timing of Northwest Brampton.

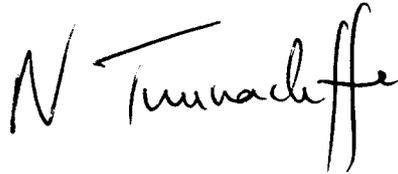
The proposal to extend the urban boundary to accommodate the forecasted growth is logical from a planning point of view. The timing for urban expansion is appropriate given the 5 - 10 year lead time typically required for the preparation of environmental assessments, local official plan amendments, secondary plans and block plans before actual development can occur. Despite the Region's best efforts, it may not be possible to complete the wastewater treatment plant expansion required to service Northwest Brampton (and other forecasted west side development) before 2010.

Hemson's report of June 2005 confirms that ROPA 15 is consistent with the 2005 PPS and meets the comprehensive review criteria.

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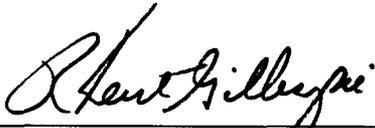
Furthermore, the requirements of the Regional Official Plan, and most notably those set out in Policy 7.9.2.8 and the requirements of the 2005 PPS, have been met. Further work on servicing, transportation, environment, and finance are needed at various approval stages at the local level as required by ROPA 15 and as detailed in the corresponding Brampton OPA 93-245.

Although Council's decision to adopt ROPA 15 on June 16th will have to be made without the benefit of formal comments from the Province, Halton Region, and the Town of Halton Hills, the additional planning processes required prior to Northwest Brampton development proceeding will provide opportunity to address any of their significant concerns.



Nick Tunnacliffe
Commissioner of Planning

Approved for Submission:



for _____
R. Maloney, Chief Administrative Officer

Authored By: Basil Gurusinghe

c. Legislative Services