Report To: Chair and Members of the Planning and Public Works Committee

From: Mark G. Meneray, Commissioner, Legislative and Planning Services and Corporate Counsel

Date: February 23, 2011


RECOMMENDATION


2. THAT the Regional Clerk forward a copy of Report No. LPS21-11 to the City of Burlington, the Town of Halton Hills, the Town of Milton, and the Town of Oakville for their information.

REPORT

Purpose

The purpose of this report is to provide Regional Council with a summary of the planning and development applications reviewed by Planning Services during 2010.

Background

Planning Services staff are responsible for processing all Regional Official Plan Amendment (ROPA) applications and preparing recommendations on each of them for the Planning and Public Works Committee and Regional Council. Staff also provide comments and request conditions, as necessary, on a number of other planning and development applications for which the Local Municipalities and the Niagara Escarpment Commission are the approval authorities in most instances. All applications are evaluated for consistency with the Provincial Policy Statement and conformity to various provincial plans such as the Growth Plan and Greenbelt Plan, and for conformity to the Regional Official Plan. Applications are circulated to other Regional departments and public bodies in accordance with a Memorandum of Understanding and the requirements of the Planning Act and other statutes.

During 2010, Planning staff received a total of 824 planning/development applications. This number does not include active applications carried forward from previous years.

- Regional Official Plan Amendments 1
• Parkway Belt Plan Amendments 4
• Local Official Plan Amendments 10
• Zoning By-law Amendments 33
• Holding Symbol Removals 12
• Temporary Use By-laws 2
• Subdivisions 45
• Condominiums (all types) 28
• Site Plans 170
• NEC Development Permits 118
• Removal of Part-Lot-Control 42
• Minor Variances 309
• Consents 50

Related activities in 2010 (discussed below) included attending 210 preconsultation meetings, coordinating 24 Regional Water/Waste Water Allocation Agreements, reviewing numerous questionnaires and document types relating to site remediation, preparing 20 Regional Subdivision Agreements and 15 Regional Servicing Agreements, and attending 15 prehearings and 1 hearing at the OMB/Joint Board.

During 2010, staff hosted 5 Halton Developer Liaison Meetings and attended 4 Development Directors of Ontario meetings (hosting 1) which assisted in streamlining the review process. Planning staff also reviewed its process with Public Works staff and Burlington staff which resulted in a clearer understanding of requirements, and which established a working group to resolve complex application issues relating to water, wastewater and transportation infrastructure.

While the number applications for Local Official Plan and Zoning By-law Amendments received were lower in 2010 compared to 2009 (43 in 2010 vs. 82 in 2009), the number of applications for subdivisions and condominium approvals was significantly higher (73 in 2010 vs. 23 in 2009). Most of the latter increase is likely due to completing the agreements for the 2008/2009 Water and Waste Water Allocation Program and reflective of an increased demand for new housing within the Region.

Highlights of some of the more major/significant applications and other work undertaken during 2010 are described below.

**ROPA Applications**

**Catholic Cemeteries of the Diocese of Hamilton – ROPA Application**

In November 2010, the Catholic Cemeteries of the Diocese of Hamilton submitted a complete ROPA application to permit cemeteries and related ancillary uses including a crematorium on a property of approximately 53 hectares, located on the north-west corner of Bronte Road (Regional Road 25) and Lower Base Line in the Town of Milton. Fourteen documents/reports were submitted in support of the application. This proposal also requires amendments to the Town of Milton Official Plan and Zoning By-law. Prior to the application being filed, the proposal was subject to several pre-consultation meetings. Notice of a complete application was placed in local
newspapers and mailed to neighbouring property owners prior to year-end. Technical review of this proposal is now underway and the Region will be hosting a statutory public meeting in 2011.

**Dufferin Aggregates – ROPA Application**

Evaluation continues on the ROPA and related applications submitted in 2009 to permit expanded quarry operations within 300 hectares of land adjacent the existing Acton Quarry, located east of Regional Road 25 and south of 22nd Side Road, in the Town of Halton Hills. During 2010, the JART team reviewed various background materials submitted on the proposal (14 meetings). Dufferin submitted an *Aggregate Resource Act* (ARA) application to the MNR initiating the prescribed 45-day Notification period starting on May 4, 2010, which commenced the required 2-year review period for that application under the Act. During 2010, Dufferin Aggregates conducted a number of public open houses, and the formal public consultation session prescribed under the ARA was held on June 1, 2010. The JART Chair provided an update on JART activities at the June 1st consultation session. JART issued an interim status report on the proposal and held its second Public Information Centre on November 29, 2010. In order to continue evaluating this proposal, JART and the approval bodies require the MNR’s wetland evaluation and regulation to protect Jefferson Salamanders under the *Endangered Species Act*, both of which will impact the original proposal. The technical review of this proposal is anticipated to be completed in 2011, including the statutory public meeting for the ROPA application.

**Other Applications**

**Town of Milton Derry Green and Boyne Secondary Plans**

During 2010, the Region received two Secondary Plans (Local Official Plan Amendments) from the Town of Milton for approval.

The Derry Green Corporate Business Park Secondary Plan was adopted by the Town on June 14, 2010, and is designed to create a corporate business park with a significant component of office and other prestige uses. It will have approximately 17,000 - 18,000 employees based on an assumption of 45 employees per net hectare. This area will serve as a gateway to the Urban Area. A number of supporting studies were submitted with the secondary plan, some of which required updating or additional work prior to a Regional decision. The Region is currently awaiting resolution by the Town of issues related to the environment.

The Boyne Secondary Plan was also adopted by the Town on June 14, 2010. This plan is designed to create a community with an ultimate population of 50,000 which is intended to be integrated with the existing Urban Area. Located south of Louis St. Laurent Avenue, west of James Snow Parkway, north of Britannia Road and east of Tremaine Road, the area will serve as a gateway into the Urban Area and contribute to maintaining a strong sense of place within the Town. At the time of adoption of the secondary plan, the supporting studies had yet to be finalized. These studies have now been finalized and presented to Milton’s Council for information and the Region should be receiving them shortly so that its evaluation of the plan can commence.
Timsin Holding Corp. and Arrassa Investments Inc. - Rezoning and Subdivision

Rezoning and subdivision applications for lands on the north-west corner of Dundas Street West (Regional Road 5) and Sixth Line in the Town of Oakville will allow for the second development to be approved in North Oakville. The developer was a participant and assigned servicing allocation for a maximum of 170 SDEs (single detached equivalents) as part of the Phase 1 2008/2009 Water and Wastewater Allocation Program. The proposed draft plan of subdivision includes a variety of housing types (single and semi-detached, and on-street townhouse and lane based townhouses) and a block (residential and commercial uses) related to the Dundas Urban Core Area.

On December 13, 2010, the Town’s Planning and Development Council considered the applications and recommended that its Director of Planning Services grant draft approval, including the requested Regional conditions, and the rezoning was passed.

Halton Region Wastewater Pumping Station - Rezoning

A rezoning application was processed during 2010 to permit the development of a Regional wastewater pumping station on the north-east corner of Dundas Street West (Regional Road 5) and the future extension of Towne Boulevard in the Town of Oakville. Within the Town’s new North Oakville Zoning By-law, essential services outside of public rights-of-way are not recognized, requiring this rezoning. The need for the pumping station was identified through the Region’s Water and Wastewater Master Plan Review. This wastewater pumping station is a critical component of the infrastructure required to service the growth in North Oakville. The rezoning was passed by the Town’s Planning and Development Council on September 27, 2010.

A report to award the construction contract for the new station, to secure the additional funds required to complete the project, and to provide the required contract administration during construction was considered by the Planning and Public Works Committee and Regional Council in January 2011.

Halton Healthcare Services (Oakville Hospital) – Master Site Plans

Site specific rezoning applications for a new mixed-use hospital campus on the north-west corner of Dundas Street West (Regional Road 5) and Third Line and for an associated District Energy Facility to the north-east, in the Town of Oakville, were approved in November 2009, subject to holding removals. During 2010, Regional staff was involved with removing the holding symbols which required reviewing and approving the Environmental Implementation Report and Functional Servicing Study (EIR/FSS) and amending Regional By-law 42-04. These holding symbols were removed in January 2011.

Master Site Plan approvals with Regional servicing and financial conditions for the hospital and District Energy sites were approved by the Town on June 7, 2010. The primary purpose of these master approvals was to provide all the requirements to design and construct the hospital campus for inclusion in the Town’s Request for Proposals (RFP).
A specialized bid process was undertaken during 2010 to determine the consortium that will be designing, building, financing and maintaining the new hospital campus. Three consortia finalists were selected by Infrastructure Ontario in May, 2010. Meetings with Regional staff and other commenting agencies and the bidders were held in the Fall of 2010 to clarify various requirements. It is expected that the preferred proponent will be selected in the late Spring of 2011 and that final detailed site plans will also be processed in 2011.

Town of Milton’s Facilities Infrastructure Implementation Team (FIIT)

In 2010 Regional staff participated in the Town of Milton’s FIIT Committee. The purpose of this committee was to expedite the review and approval of several significant projects in the Town, requiring Site Plan approvals. Funding for these projects was provided by Federal (Industry Canada) and Provincial (Recreational Infrastructure) grants and was subject to prescribed timelines. All of the following FIIT projects are now complete or substantially complete:

- Civic Operations Centre (Phase 1), 5670 Regional Road 25
- Fire Station #4, 405 James Snow Parkway
- Building Addition, 16 Hugh Lane
- John Tonelli Sports Centre, 217 Laurier Avenue
- Community Park (Phase 1), 605 Santa Maria Blvd.
- Milton Sports Centre Expansion, 605 Santa Maria Blvd. at Derry Road
- Town of Milton Arts and Entertainment Centre and Central Library Complex, 1010 Main St.
- Nassagaweya Community Centre and Tennis Club, 9267 Guelph Line (Regional Rd. 1)

Phase 2 2008/2009 Water and Wastewater Allocation Program

Planning staff were responsible for coordinating and administering parts of the Phase 2 2008/2009 Water and Wastewater Allocation Program for the Towns of Milton and Oakville. This process included requesting and processing Letters of Interest from the individual land owners and the subsequent coordination with the Local Municipalities in obtaining their site preferences for allocation. Staff provided both technical input and review of the planning related schedules for the Allocation Agreements, and provided conditions of draft plan of subdivision approval once the Agreements and other planning matters were satisfied. The program resulted in 10 Allocation Agreements in the Town of Oakville with 2020 SDEs and 14 Allocation Agreements in the Town of Milton with 3667 SDEs, for a total of 5687 SDEs.

Contaminated Sites

Staff is responsible for reviewing Environmental Site Assessments (ESAs) in accordance with the Region's Protocol for Reviewing Development Applications with Respect to Contaminated and Potentially Contaminated Sites and regulations made under the Environmental Protection Act. In 2010, staff reviewed 163 Site Screening Questionnaires and Characterization Reports, 16 Phase I and II ESAs, and 2 Risk Assessments and 37 Records of Site Condition in consultation with Public Works and Health staff.
Community Planning staff have assumed responsibility for responding to public information requests and the management of the Region’s Environmental Protection GIS database, and in reviewing and responding to potable and non-potable water notifications used in the preparation of ESAs. Planning Services is currently reviewing the Region’s Protocol in order to implement new Provincial regulations under the *Environmental Protection Act* which take effect on July 1, 2011.

**Ontario Municipal Board/Joint Board Hearings**

Most of the applications reviewed by staff involve an appeal process. While staff always attempt to reach consensus, not all issues can be resolved outside of the appeal process. Planning staff were required to attend 15 prehearings and 1 hearing at the OMB/Joint Board in 2010.

The appeals by Nelson Aggregates Co. regarding its proposal to permit quarry extraction on the south side of No. 2 Side Road, west of Guelph Line Road (Regional Road 1) in the City of Burlington, was one set of appeals which involved much staff time in preparing and participating at Joint Board hearings. During 2010, prehearings continued and a hearing commenced in November 2010 which is expected to last several months.

Another set of appeals that consumed significant staff time are those relating to the Town of Oakville’s Livable Oakville Official Plan. During 2010, a number of prehearings were held and modifications were filed by the Town in consultation with the Region to resolve a number of appeals. Additional prehearings are expected in early 2011, and the OMB has scheduled a hearing to commence on April 26, 2011.

**Conclusion**

During 2010, a total of 824 planning/development applications were received, of which there was a significant increase in subdivision and condominium applications compared with 2009, likely attributable to the completion of the Agreements for the 2008/2009 Water and Waste Water Allocation Program. Some of the applications received and reviewed during the year, such as Milton’s Derry Green and Boyne Secondary Plans and the Oakville Halton Healthcare Services master site plans, reflect significant growth. During 2011, staff will continue providing effective development review to address Regional interests, and continue liaising with the development industry and other internal staff/public bodies to maintain an adequate level of service.

**FINANCIAL/PROGRAM IMPLICATIONS**

The costs of Regional staff’s review of development applications, as set out in this report, are included in the Legislative and Planning Services Department (LPS) budget. Processing costs are recovered from application fees which are assessed every year; the funds to cover hearings are from the LPS capital budget (T8019D).
RELATIONSHIP TO THE STRATEGIC PLAN

This report addresses an administrative matter and does not have a direct relationship to the Strategic Plan.

Respectfully submitted,

[Signatures]

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Approved by

For
Pat Moyle
Chief Administrative Officer

If you have any questions on the content of this report, please contact: Ron Glenn Tel. # 7966 Robert Walters Tel. # 7181