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**For Information**

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REPORT TITLE: **Provincial Decision on the New Region of Peel Official Plan**

FROM: Kealy Dedman, Commissioner of Public Works

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**OBJECTIVE**

To inform Council of the provincial decision to approve the new Region of Peel Official Plan with 44 modifications and to review the implications of the modifications to the Region.

**REPORT HIGHLIGHTS**

- The new April 2022 Region of Peel Official Plan was adopted by Regional Council on April 28, 2022, submitted to the Ministry of Municipal Affairs and Housing on May 12, 2022, and deemed complete on May 20, 2022.
  - On September 8, 2022, the Minister of Municipal Affairs and Housing suspended the 120-day review period for the new April 2022 Region of Peel Official Plan, as permitted under the *Planning Act*, until the Minister issued a decision.
  - On November 4, 2022, the Minister issued a Notice of Decision approving the Region of Peel Official Plan with 44 modifications.
  - The new Region of Peel Official Plan, as approved by the Minister, came into effect on November 4, 2022.
  - The modifications comprise of amendments to text, schedules, and figures within various Official Plan focus areas, which have been reviewed to assess implications to the Region.
  - Modifications include the addition of about 246 hectares of land to the Regional Urban Boundary as well as revisions to the location of some Community/Employment areas in the 2051 New Urban Area in Caledon, revisions to employment policies, a reduction of Prime Agricultural Area land, and the removal of a Planned Major Transit Station Area in the City of Brampton.
  - Regional planning staff were not consulted on the modifications in advance of the Minister issuing the decision.
  - The Minister's decision on the new Region of Peel Official Plan is final and not subject to appeal.
  - Two new Bills, the *More Homes Built Faster Act* (Bill 23) and *Better Municipal Governance Act* (Bill 39), were recently introduced which may impact the Region's authority under the *Planning Act*. Staff across the Region are assessing the broad implications of both Bills, including to the Region of Peel Official Plan.
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## Provincial Decision on the New Region of Peel Official Plan

### DISCUSSION

#### 1. Background

The Regional Official Plan (ROP), originally adopted in 1996, has been the primary long-range strategic land use policy document in the Region of Peel and has been amended over the past 30 years. The Peel 2051 Regional Official Plan Review and Municipal Comprehensive Review (MCR) was initiated in 2013 to fulfill a periodic review of the Regional Official Plan for planning to the year 2051 and to achieve Provincial conformity.

On April 28, 2022, Regional Council passed By-law 20-2022 to adopt the “April 2022 Region of Peel Official Plan” (RPOP). The RPOP was submitted to the Ministry of Municipal Affairs and Housing (MMAH) for approval on May 12, 2022 and deemed complete on May 20, 2022. The MMAH posted the RPOP to the Environmental Registry of Ontario website for 30 days, from September 8, 2022 to October 8, 2022, to gather public and stakeholder comments.

On September 8, 2022, the Minister also submitted a notice to suspend the 120-day review period for the RPOP, pursuant to subsection 17(40.1) of the *Planning Act*. The timeline suspension was in effect until the Minister issued a decision on the RPOP. On November 4, 2022, the Minister issued a Notice of Decision approving the RPOP with 44 modifications. This approval repealed and replaced the Regional Official Plan adopted in 1996 (and all amendments thereto) on the same date. The new Region of Peel Official Plan, as approved by the Minister, came into effect on November 4, 2022.

Regional planning staff were not consulted on the modifications prior to the Minister issuing the decision.

#### 2. Summary of Modifications and Implications

The following section contains a brief summary of the modifications made by the Minister and associated implications for the Region. The Provincial Notice of Decision, including the Minister’s text and mapping modifications, can be found in Appendix I. Appendix II provides a complete list of Provincial modifications and associated implications for the Region. A link to the final RPOP including all 44 Provincial modifications is available in Appendix III.

##### a) Agricultural and Rural Systems

###### i) Summary of Modifications

- Two areas totaling approximately 390 hectares on Schedule D-1 Rural System in the narrow Greenbelt valleys in southern Caledon are redesignated from Prime Agricultural Area to Rural Land (see Appendix I).

###### ii) Implications

- The redesignation results in permitting a wider range of non-agricultural rural uses than would have been permitted if the areas remained designated as Prime Agricultural Area. There are no changes to the permission for agriculture, agriculture-related, and on-farm diversified uses as these uses are also permitted in the Rural Land designation.
- This revision is not consequential to the planning for the Greenbelt valleys or adjacent 2051 New Urban Area; however, it does reduce the Prime Agricultural Area designation and creates an inconsistent approach to the designation of the

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Rural System, as not all of the Greenbelt valleys were redesignated as Rural Land.

- An additional reduction of the Prime Agricultural Area is also included in the Provincial modification expanding the 2051 New Urban Area.

### b) Natural Heritage System

#### i) Summary of Modifications

- The policy defining “Core Area woodlands” and “Core Area valley and stream corridors” for the purpose of mineral aggregate resource extraction uses is amended to limit the area where the policy and definition applies. The modification will now limit the application of the definition of “Core Area woodlands” and “Core Area valley and stream corridor” within the Rural System to lands within the Greenbelt Plan.
- The Province has been requested to provide clarification of this policy change as it relates to mineral aggregates and the Greenlands System.

#### ii) Implications

- The implications for the Regional Greenlands System are not significant as the majority of the significant deposits of mineral aggregate resources in Peel are located in the Greenbelt Plan, Niagara Escarpment Plan (NEP) and Oak Ridges Moraine Conservation Plan (ORMCP) areas. The Greenbelt Plan, NEP, and ORCMP policies are very restrictive with respect to aggregate extraction uses.

### c) Growth Management

#### i) Summary of Modifications

- One growth management intensification policy has been modified by removing the direction to the local municipalities to establish minimum density targets for Strategic Growth Areas. Urban Growth Centres and Major Transit Station Areas already have minimum density targets in other policy sections that were not modified; however, intensification corridors and nodes/centres were intended to have specific minimum densities established by local Official Plans.

#### ii) Implications

- This modification may limit the ability of local municipalities to establish minimum densities for intensification corridors and nodes/centres.

### d) Transportation

#### i) Summary of Modifications

- Modifications to include references in to the Connecting the Greater Golden Horseshoe: A Transportation Plan for the Greater Golden Horseshoe.

#### ii) Implications

- There are no implications as the intent of the policy framework, as adopted and modified, does not change the protection of the Highway 413 corridor. The Growth Plan protected for the highway which is reflected in the RPOP policies and schedules.

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### e) Major Transit Station Area (MTSA)

#### i) Summary of Modifications

- Major Transit Station Area policies are modified by removing the language that explicitly gave local municipalities the discretion to establish maximum densities and heights when undertaking comprehensive planning for Primary and Secondary MTSA's. The modification, however, does not prohibit local municipalities from establishing maximum densities in MTSA's. Local municipalities must still meet minimum density targets included in the RPOP. These modifications may have Regional implications by increasing demands for additional servicing capacity.
- The Heritage Heights Planned MTSA (KIT-5) has been removed from the RPOP policy and the schedule that shows the Major Transit Station Areas (see Appendix I). For consistency, technical modifications are required to other schedules and figures that reflect the removal of the Heritage Heights Planned MTSA.

#### ii) Implications

- Removing the Planned MTSA will have no impact on the Regional growth allocation but may have implications on the City of Brampton's draft Official Plan in regard to the Heritage Heights Secondary Plan area. Regional staff are seeking additional clarification from the Province on this modification.

### f) Settlement Area Boundary Expansion (SABE) - 2051 New Urban Area

#### i) Summary of Modifications

- The 2051 New Urban Area is modified by adding approximately 246 hectares (ha) of net developable land into the Regional Urban Boundary between the GTA West Corridor and Old School Road in the Town of Caledon (see Appendix I). Within the overall 246 ha, 130 ha are designated Employment Area, and the remaining 116 are Community Area (permitting residential and other population-related employment and services). Additionally, of the 4,400 ha of land adopted by Council, 76 ha were modified from Employment Area to Community Area. The table below shows the changes between the Council-adopted numbers and Provincially-modified numbers.

	<b>Council Adopted (ha)</b>	<b>Provincial Modified (ha)</b>	<b>Difference between Council Adopted and Provincially Modified (ha)</b>
<b>Community Area</b>	2,870	3,062	+192
<b>Employment Area</b>	1,530	1,584	+54
<b>Total</b>	4,400	4,646	+246

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### ii) Implications

- Having more land to accommodate the employment and population forecasts may affect the way growth is distributed in Caledon and will require moderate updates to the growth forecast allocation. Staff are assessing any impacts to infrastructure servicing, but the areas were reviewed through the SABE study and did not present extensive challenges at that time.

### g) Employment

#### i) Summary of Modifications

- The Employment Area policies are modified by adding a new policy to allow non-employment uses on the property located at 33 Pillsworth Road, Caledon, subject to the completion of a planning study that addresses certain criteria. This modification may potentially remove the property or a portion of it from the Employment Area, which will have minor implications on employment land supply. Throughout the Peel 2051 planning process, a request for an employment conversion was not submitted for this property.
- The Future Strategic Employment Area policies are modified by removing a portion of a policy that would permit the expansion of the Sandhill Rural Settlement Area in the Rural System for interim dry industrial uses, subject to an assessment undertaken by the Town of Caledon in consultation with the Region. This area is not currently designated Employment Area within the Regional Urban Boundary but has been identified for having long-term potential to support future employment uses post-2051.

#### ii) Implications

- The changes have no implications on the 2051 employment growth allocation but may have implications on local planning as the policy for the Sandhill area was intended to potentially assist with planning for an existing demand for dry industrial employment uses in the area (see Appendix I). It is relevant to note that Policy 5.8.50 which permits dry industrial uses, such as truck parking on lands designated as an Employment Area within the 2051 New Urban Area was not modified by the Province. This policy would continue to permit dry industrial uses that do not require the extension of municipal services on an interim basis within the 2051 New Urban Area in advance of full municipal services being provided, subject to enabling local official plan policies. This policy would continue to provide direction to accommodate demand for this type of use in the Town of Caledon.

### 3. Minister Decision Final

The *Planning Act* specifies that the decision of the Minister of Municipal Affairs and Housing regarding an official plan adopted in accordance with section 26 of the *Planning Act* is final and not subject to appeal. This includes decisions that modify an official plan before approval.

### 4. Next Steps

Staff are seeking clarification from MMAH on a few of the modifications, including the interpretation of some policy modifications that are not clear or result in inconsistencies and the rationale for the removal of the MTSA in Heritage Heights.

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The *More Homes Built Faster Act* (Bill 23) received Royal Assent on November 28, 2022. The Bill includes changes to the *Planning Act* that would remove planning responsibilities from the Region of Peel, including the Region of Peel Official Plan. These provisions of the legislation do not come into force immediately, but will come into force upon proclamation at a future date. Staff are in the process of understanding transition processes, timelines and next steps for the Region of Peel Official Plan. A report outlining the implications of Bill 23 and the Region's response to the Province on the Bill is included as a separate item on the December 8, 2022 Council agenda.

In addition, on November 16, 2022, the Province introduced the *Better Municipal Governance Act* (Bill 39). At the same time, the Province announced that facilitators are proposed to be appointed to assess six regional governments, including Peel, to review local and regional roles and responsibilities, including regional planning. Staff will continue to update Council as the implications of Bill 23, Bill 39, and any provincial facilitation processes are finalized and impacts are determined.

## APPENDICES

Appendix I – Notice of Decision with 44 Provincial Modifications

Appendix II – New Region of Peel Official Plan - Provincial Modifications Table

Appendix III – Link to Region of Peel Official Plan

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