

DATE: June 13, 2017

REPORT TITLE: **THE NINTH LINE LANDS REGIONAL OFFICIAL PLAN AMENDMENT - REQUEST TO HOLD A STATUTORY PUBLIC MEETING**

FROM: Lorraine Graham-Watson, Commissioner of Corporate Services

RECOMMENDATION

That a statutory public meeting and open house be scheduled for October 26, 2017, pursuant to subsection 17(15) of the *Planning Act* for the purposes of giving the public an opportunity to make representations in respect of a proposed Regional Official Plan Amendment (ROPA) to expand Peel's 2031 Regional Urban Boundary to include the Ninth Line Lands through a Municipal Comprehensive Review;

And further, that the public be invited to comment on the proposed expansion of Peel's 2031 Regional Urban Boundary to include the Ninth Line Lands on matters including but not limited to the draft ROPA;

And further, that a copy of the draft ROPA be forwarded to the appropriate agencies, the Ministry of Municipal Affairs, the cities of Brampton and Mississauga, and the Town of Caledon and all other municipalities adjacent to the Region of Peel for their review and comment;

And further, that prior to the statutory public meeting, staff be authorized to make appropriate adjustments to the draft ROPA and consultation procedures that may be necessary as a result of the 2017 Growth Plan released by the Province on May 18, 2017.

REPORT HIGHLIGHTS

- Regional Council's authorization is required to hold a statutory public meeting to receive input on a draft ROPA to expand the 2031 Regional Urban Boundary to include the Ninth Line Lands. Additional informal public consultation will be coordinated with the City of Mississauga as part of their local Official Plan process such as a joint open house.
- On January 1 2010, the lands within the Ninth Line were transferred from the Region of Halton/Town of Milton to the Region of Peel/City of Mississauga.
- In June 2010, Council authorized Peel staff to work with the City of Mississauga to initiate a ROPA to add the Ninth Line Lands into the Region of Peel Official Plan (ROP).
- In order to establish a planning framework for future development of the lands, a

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Municipal Comprehensive Review (MCR) is required to address the requirements of Section 7.9.2.12 of the Regional OP and associated Provincial policy.

- In January 2014, a consultant was jointly retained by the Region of Peel and City of Mississauga to undertake studies to complete an MCR, recommend policies for the Regional OP, and provide Mississauga with local implementing planning tools.
- Studies to satisfy an MCR have been completed to bring the Ninth Line Lands into the Urban Boundary in the Regional OP, and a draft ROPA has been prepared and attached to this report
- Regional staff has undertaken a preliminary review of the new Growth Plan released by the Province on May 18, 2017, which comes into effect July 1, 2017 and are satisfied with the recommendation in this report and staff will make appropriate adjustments to the draft ROPA and statutory consultation process in response to the newly released Provincial Growth Plan, if required.

DISCUSSION

1. Background

a) Ninth Line Lands Annexation

The Ninth Line Lands are an area in City of Mississauga bounded by Highway 407 to the west, Highway 401 to the north, Highway 403 to the south and Ninth Line to the east (Figure 1). The Ninth Line Lands are approximately 400 hectares (990 acre) in total area. On January 1, 2010, the Ninth Line Lands were brought into Peel Region and the City of Mississauga municipal boundaries in accordance with Regional By-law 106-2009. These lands were previously part of the Region of Halton and the Town of Milton. Since the Ninth Line Lands were incorporated into the Region of Peel and City of Mississauga municipal boundary after the ROP Places to Grow conformity exercise was already substantially complete, it was not comprehensively incorporated into the ROP during that review. Instead, Council approved placeholder policies in section 5.10 of the ROP that state an amendment to the ROP is needed to bring the lands into conformity with the ROP. Until the Ninth Line Lands ROPA is approved, the policies of the Region of Halton and Town of Milton Official Plans continue to apply to these lands, which designate the area as the “Ninth Line Corridor Policy Area” and “Greenlands A”.

A staff report was brought to the Region of Peel’s General Committee on June 17, 2010, and was approved at the Regional Council meeting on June 24, 2010. Regional staff was directed to extend current road names into the area and permit the provision of piped water and sanitary sewer systems to existing properties. Regional staff was also directed to work with City of Mississauga staff on this project, and to initiate a ROPA to include the Ninth Line Lands as part of the Regional OP.

Two subsequent reports to Regional Council on October 25, 2012 and May 26, 2016, provided an update on the MCR progress, including joint studies and consultant work.

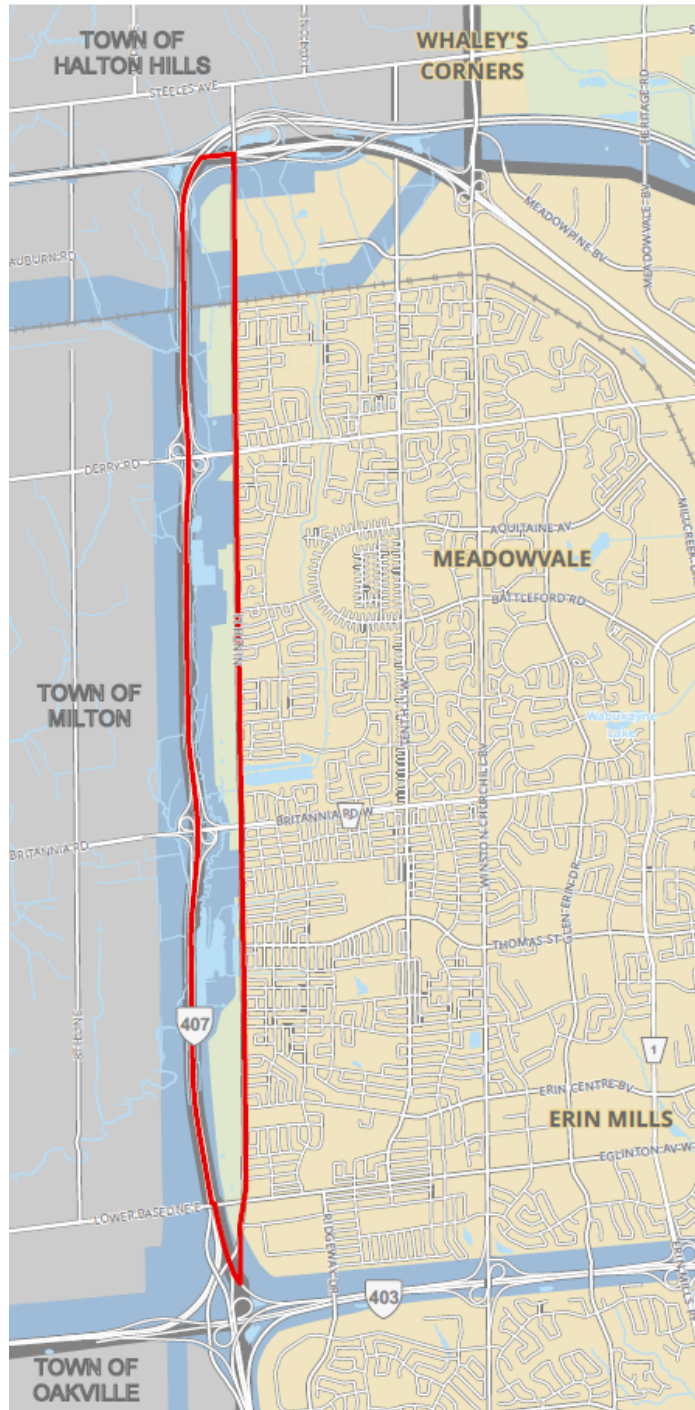
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Figure 1. Map of Ninth Line Lands.

b) Collaborative Planning Approach

A Project Core Working Team, comprised of staff from the Region of Peel and City of Mississauga worked collaboratively to jointly retain Macaulay Shiomi Howson Ltd. (MSH) in January 2014. This has provided professional and technical services, including a planning justification report for the MCR to bring the Ninth Line lands into the ROP, and undertake work towards required local municipal land use planning instruments.

Studies required as part of the ROPA process have been completed concurrently with more detailed Mississauga studies. The detailed Mississauga studies will lead to a draft local Official Plan Amendment and subsequently a Zoning By-Law for Ninth Line Lands. In particular, extensive technical work was required to determine potential implications on the development of the area resulting from the need to accommodate the future 407 Transitway corridor and two station locations complicated by an extensive flood hazard.



c) Ninth Line Vision

The Ninth Line Lands implement the vision of the Provincial Growth Plan and the ROP for compact, vibrant and complete communities that support healthy, active living. The development form is compact and efficient at a density of 82 persons and jobs per hectare which supports walking, cycling and transit services. The plan supports diverse land uses such as medium density housing comprising of row houses and apartments, business employment in proximity to 400-series highways, and public open spaces. The plan also anticipates the arrival of the proposed 407 Transitway, protects and enhances

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natural heritage features including wildlife and woodlands significant to the area, and mitigates the effects of natural hazards. A Natural Heritage System corridor is being proposed and will result in a net gain in the amount and quality of natural area within the Ninth line lands. A draft of the emerging land use concept plan is attached as Appendix I to this report.

2. Municipal Comprehensive Review Process

a) Places to Grow, Growth Plan for the Greater Golden Horseshoe

The Province's Places to Grow Growth Plan provides planning policy direction for single and upper tier municipalities within the Greater Golden Horseshoe. The Growth Plan states that a municipality may only expand its settlement boundary as part of a MCR, where it has been demonstrated that:

- Sufficient opportunities to accommodate forecasted growth contained in Schedule 3 of the Growth Plan through intensification and in already Designated Greenfield Areas (DGA) are not available;
- The expansion makes available sufficient lands for a time horizon not exceeding 20 years;
- Timing of expansion and phasing of development within the DGA will not adversely affect the achievement of intensification targets and density targets, and other policies in compliance with the Provincial Growth Plan;
- The proposed expansion will meet the requirements of all other Provincial documents including the Greenbelt Plan, Niagara Escarpment Plan and Oak Ridges Moraine Conservation Plan where applicable; and,
- The existing or planned infrastructure required to accommodate the proposed expansion can be provided in a financially and environmentally sustainable manner.

Inclusion of the Ninth Line lands into the ROP based on provincial policy would amount to a settlement area boundary expansion and allow for additional greenfield development in Mississauga. The Ninth Line lands represent a completion of greenfield opportunities in Mississauga. Through the MCR process, the Ninth Line Lands will implement the Growth Plan and contribute to population and employment forecasts for 2031. The 2031 planning horizon is further broken down into 2031A and 2031B. The 2031A population forecast was 1.64 million whereas the 2031B forecast was 1.77 million. The new Growth Plan now only includes a 2031 horizon with a 1.77 million forecast.

2031A population and employment forecasts from the original 2006 Growth Plan were included in the ROP through ROPA 24. The ROP assigns population and employment growth to the Growth Plan policy areas in Peel through its Regional Land Budget document titled, "Places to Prosper: Background to ROPA 24 Land Budget Report" (June 16, 2011). As part of the Peel 2041 Regional Official Plan Review, a forthcoming growth management ROPA will incorporate the updated 2031 forecasts into the ROP.

b) Meeting Peel Growth Population and Employment Targets to 2031A

Development of the Ninth Line lands allows Mississauga a better opportunity to meet the 2031A population and employment targets in the ROP. The appropriate density and mix

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of housing supports Provincial and Regional planning policies favouring denser and more intensified development in a Greenfield setting.

The Ninth Line Lands would accommodate approximately 3,500 housing units, 8,500 residents and 510 jobs. Total greenfield density of 82 persons and jobs per hectare results in a very small increase in the overall planned greenfield density in Peel at 50 persons and jobs per hectare based on the 2006 Growth Plan requirements. Mississauga's intensification rate for the 2016 to 2031 period set at 97 per cent without Ninth Line, becomes 86 per cent with the addition of Ninth Line, leading to the Region's overall intensification rate for the same period of 48 per cent without and 44 per cent with the Ninth Line. The ROP contains an intensification target of 50 per cent from 2026 to 2031. It is expected that with the inclusion of the Ninth Line lands into the ROP, Peel will achieve an intensification rate of 45 per cent instead of the planned 50 per cent. However, the 45 per cent rate is still well above the 2006 Growth Plan's mandated 40 per cent minimum intensification target. The table below shows Peel population and employment targets for 2031A, 2031B, 2036 and 2041 as outlined in the Growth Plan.

Municipality	2031 A (ROPA 24)	
	Population	Employment
Brampton	727,000	314,000
Caledon	108,000	46,000
Mississauga	805,000	510,000
Peel	1,640,000	870,000

Provincial Growth Plan Schedule 3	Population	Employment
2031B	1,770,000	880,000
2036	1,870,000	920,000
2041	1,970,000	970,000

Table 1 – 2031A, 2031B, 2036, and 2041 Population & Employment Forecasts

Regional staff has undertaken a preliminary review of the new Growth Plan released by the Province on May 18, 2017, which comes into effect July 1, 2017. The main implications on the Ninth Line Lands are that new policies around the intensification target for residential development occurring annually in built-up areas has been revised from 40 to 50 per cent from the next MCR until 2031. Until the next MCR, the annual minimum intensification target in an approved Official Plan will continue to apply. In addition, the new Growth Plan has language that would require Provincial approval under Section 26 of the Planning Act for all Official Plan Amendments resulting from an MCR, whereas Peel has previously been the approval authority for settlement expansions through an MCR processed under Section 17 of the *Planning Act*.

Currently, the draft ROPA prepared for the Ninth Line Lands does not include any change to the 50 per cent intensification target in the ROP for post 2026 since our analysis, as reported to the Growth Management Committee in January 2017, shows that Mississauga

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will continue to be a focus of intensification in Peel and Regional intensification targets will be met in this timeframe. Regional staff will continue to review the newly released Growth Plan, consult with the Province and stakeholders to comprehensively assess all implications on the draft ROPA. The assessment may result in the need to amend the draft ROPA policy language.

Based on analysis and rationale discussed in this staff report, in the MCR Justification report and in the Growth Management Analysis report, Regional staff are satisfied with the recommendation to proceed with the statutory public meeting and for staff to make appropriate adjustments to the draft ROPA and statutory consultation process in response to the newly released Provincial Growth Plan. In addition, based on feedback from Provincial staff or other stakeholders resulting from the new Growth Plan, it may also be appropriate for staff to make adjustments to the draft ROPA to reflect the updated Provincial policy language, including the updated MCR criteria.

c) Region of Peel Official Plan

The requirements of an MCR to support inclusion of Ninth Line Lands into the Regional Urban Boundary are outlined in section 7.9.2.12 of the ROP (Appendix II). To satisfy the overall objectives of the MCR, several studies were undertaken. These studies, along with its findings, are captured in Appendix III of this report.

Regional staff is satisfied that the completion of the studies below will satisfy Regional MCR requirements to support the development of a ROPA to bring the Ninth Line Lands into the ROP. Of the seventeen criteria listed in section 7.9.2.12 of the ROP, five criteria relate to growth management (a to e), five relate to agricultural considerations (g to k), and the rest of the criteria relate to a range of issues including fiscal impact, infrastructure and services, environmental and resource protection and enhancement, sustainable development, and conformity with sections 2 and 3 of the Provincial Policy Statement (PPS) (f to q). Specifically:

- **Growth Management:**

- The Ninth Line Lands implement the vision of the Provincial Growth Plan and the Regional OP of compact, vibrant and complete communities that support healthy, active living.
- The development form is compact and efficient at a density of 82 persons and jobs per hectare which supports walking, cycling and transit services.
- The density exceeds the minimum DGA target of 50 persons and jobs per hectare combined, and also exceeds the Mississauga density of 77 residents and jobs per hectare applicable to the current existing DGA in Mississauga.
- The Ninth Line lands are planned to meet 2031A population and employment targets.
- While the 50 per cent regional intensification forecast for the 2026 to 2031 period becomes 45 per cent with Ninth Line lands taken into account, this is still well above the 2006 Growth Plan's mandated 40 per cent minimum intensification target.
- The MCR process to bring the Ninth Line lands into the Regional Urban Boundary aligns with the principles of the Region's Growth Management Strategy for allocating growth to help plan for complete and healthy communities. These principles include: efficient utilization of existing and

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planned regional infrastructure; minimize financial impacts to existing residents and businesses, protect environmental and agricultural resources; and plan for appropriate densities to support transit, affordable housing and complete communities and a range of employment over the long term.

- **Agriculture:**
 - Development of the Ninth Line lands would not encroach on any minimum distance separation (MDS) setbacks from livestock facilities within two kilometres of the Ninth Line lands.
 - As this is the last remaining greenfield area in Mississauga, there are no reasonable alternative locations on lower priority agricultural lands for development which would avoid the subject lands which are classified as Prime Agricultural lands.
 - As this study was undertaken prior to the recent release of updated MDS setback requirements from the Province, subsequent work will be undertaken during the consultation stage to update these calculations.
- **Servicing and Financing:**
 - Work completed by consultants confirmed that there are there are no significant water and wastewater servicing issues, and that capital costs associated with development services (water, wastewater, roads) will not have significant impact on the Region's tax or rate base.
- **Environmental Resource Protection and Enhancement:**
 - The development of Ninth Line lands will also protect and enhance natural heritage features, including the development of a well-connected, and enhanced Natural Heritage System, and a management strategy to mitigate impacts of proposed land uses on existing natural systems.

Details on how the above studies satisfy specific Regional MCR requirements can be found in the MCR Justification Report in Appendix IV.

To download studies, please visit the Region of Peel's Official Plan Amendments website page at peelregion.ca/planning/officialplan/list-amendmts

3. Draft Regional Official Plan Amendment

Findings from studies undertaken as part of the MCR process led to the preparation of a draft ROPA that would include the Ninth Line Lands in its entirety within the Urban System and the Regional Urban Boundary as "Designated Greenfield Area". The draft ROPA also implements population and employment growth targets to 2031A, and would provide for the inclusion of approximately 110 developable hectares.

The draft ROPA also introduces a new section, "Ninth Line Lands Policy Area", to the Regional OP with the following objectives:

- Include Ninth Line Lands into the Regional Urban Boundary and accommodate a proposed population of approximately 8,500 people and 510 jobs for a density of at least 80 people and jobs combined per hectare;

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- Provide a Regional policy framework to guide planning for the Lands that recognize the importance of planning for healthy, compact, complete communities along the 407 Transitway with the City of Mississauga;
- Contribute to Mississauga's affordable housing targets; and
- Plan for a well-connected and sustainable Natural Heritage System above and beyond what currently exists within the Ninth Line lands.

The draft ROPA also amends the Regional OP to identify Core Areas of the Greenlands System within the subject lands and introduces a new section to the Regional OP to address a range of matters including infrastructure, financing, healthy development, transportation and natural heritage.

As part of the MCR process, the Ninth Line Lands Transportation Assessment Study identifies additional required improvements to Regional roads to accommodate future background traffic volumes, and include the widening of Derry and Britannia roads. Regional staff recommends that the Study recommendations be reviewed and analysed in the much more comprehensive and strategic context of the Region's ongoing Long Range Transportation Plan (LRTP). Until such analysis has been undertaken, Regional staff does not propose specific transportation schedule amendments to the Regional OP. However, the ongoing more detailed work, including the Region's LRTP and DC-By Law update and the transportation work being undertaken by Mississauga will ensure transportation infrastructure is in place and may result in ROP schedule amendments but will not predetermine the outcome of the process at this time.

The draft Ninth Line Lands ROPA is attached to this report as Appendix V.

4. Next Steps

Should Regional Council approve the recommendations of this report, Regional staff will undertake the necessary steps to initiate the process to host a statutory public meeting, open house and other consultations held jointly with City of Mississauga staff. Regional staff will also circulate the draft ROPA policies to the Province, the cities of Brampton and Mississauga, the Town of Caledon and to adjacent municipalities for review and input.

In addition to formal consultation, informal consultation, in collaboration with Mississauga staff, will continue with internal departments, local municipal staff, community agencies, the development industry, and other stakeholders.

Following formal consultation on the draft Ninth Line Lands ROPA, Regional staff will bring forward final recommendations regarding the proposed ROPA for consideration and adoption by Regional Council.



Lorraine Graham-Watson, Commissioner of Corporate Services

Approved for Submission:

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APPENDICES

Appendix I – Draft Emerging Land Use Concept Map (May 2017)
 Appendix II – Regional Official Plan Section 7.9.2.12 Municipal Comprehensive Review Process
 Appendix III – Ninth Line Municipal Comprehensive Review Studies, Details and Key Findings
 Appendix IV – Ninth Line Lands Municipal Comprehensive Review Report
 Appendix V – Draft Ninth Line Lands Regional Official Plan Amendment

To download the list of studies, please visit the Region of Peel's Official Plan Amendments website page at peelregion.ca/planning/officialplan/list-amendmts

- Developable Lands Assumptions Archaeological Context (April 2014 by AMEC Environment and Infrastructure)
- Background Report (September 2015 by MSH)
- Agricultural Impact Assessment (September 2016)
- Highway 407 Transitway Corridor Assessment (October 2016 by AMEC Foster Wheeler)
- Water and Wastewater Master Servicing Background Study (February 2017 by AMEC Environment & Infrastructure)
- Subwatershed Study (DRAFT) (March 2017 by AMEC Foster Wheeler)
- Transportation Assessment of Existing Conditions and emerging land use scenario (DRAFT) (June 2017 by MMM Group)
- Growth Management Analysis (May 2017 by Hemson Consulting)
- Fiscal Impact Analysis (May 2017 by Hemson Consulting)
- Ninth Line Lands Municipal Comprehensive Review Report (May 2017 by MSH)