

DATE: August 26, 2009

REPORT TITLE: **PEEL REGION OFFICIAL PLAN REVIEW (PROPR) - DRAFT REGIONAL OFFICIAL PLAN AMENDMENT 25 (ROPA 25) - MONITORING POLICIES AND PLANNING AND CONSERVATION LAND AMENDMENT ACT CONFORMITY**

FROM: Dan Labrecque, Commissioner of Environment, Transportation and Planning Services

#### RECOMMENDATION

That a statutory public meeting be scheduled to commence at 9:30 a.m. on Thursday, October 29, 2009 prior to the regularly scheduled Regional Council meeting, pursuant to Section 17(15) of the *Planning Act* to inform the public and to obtain their input with respect to draft Regional Official Plan Amendment 25 (ROPA 25) – monitoring policies and Planning and Conservation Land Amendment Act conformity;

And further, that pursuant to Section 17(16) of the *Planning Act*, one open house be scheduled prior to the public meeting;

And further, that the draft Regional Official Plan Amendment 25 (ROPA 25) – monitoring policies and Planning and Conservation Land Amendment Act conformity policies be circulated to appropriate agencies, the Ministry of Municipal Affairs and Housing, 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 comments;

And further, that a final Regional Official Plan Amendment, which takes into consideration the comments received from the statutory open house, statutory public meeting, and agency consultation, be presented for adoption at a future Council meeting.

#### REPORT HIGHLIGHTS

- On September 13, 2007, Regional Council endorsed a work program to proceed with a five year review of the Regional Official Plan through the Peel Region Official Plan Review. The work program identifies 15 focus areas including monitoring and planning tools and updates (Planning and Conservation Land Amendment Act conformity).
- Regional staff has worked to ensure Provincial requirements are met by updating Regional policies on monitoring and Planning and Conservation Land Amendment Act conformity
- Attached as Appendix I is the draft amendment related to monitoring and Planning and Conservation Land Amendment Act conformity that staff is recommending for formal consultation under the *Planning Act*.
- The recommended open house and public meeting will inform the public on the proposed amendment and obtain their input prior to consideration by Regional Council for adoption.

August 26, 2009

**PEEL REGION OFFICIAL PLAN REVIEW (PROPR) - DRAFT REGIONAL OFFICIAL PLAN AMENDMENT 25 (ROPA 25) - MONITORING POLICIES AND PLANNING AND CONSERVATION LAND AMENDMENT ACT CONFORMITY**

**DISCUSSION**

**1. Background**

Following a special meeting of Council in February 2007 to consider the need to review the Regional Official Plan (ROP), Regional Council, in September 2007, endorsed a work program to proceed with the review through the Peel Region Official Plan Review (PROPR) process. PROPR addresses a number of legislative and policy initiatives that have been introduced by the Province since the ROP was last reviewed in 2002. The work program for PROPR identifies 15 focus areas through which the ROP is being reviewed to ensure conformity with the provincial initiatives.

Since the commencement of PROPR in September 2007, a significant amount of work has been undertaken to bring the ROP into conformity with various Provincial requirements. Through PROPR, draft Regional Official Plan Amendments (ROPAs) 20, 21, 22, 23 and 24 have been brought to Council and are at various stages of the planning process. ROPA 25 is the last amendment in the PROPR process.

A copy of draft ROPA 25 containing the details of the proposed policy revisions is attached as Appendix I. Draft ROPA 25 incorporates the recommended policies for monitoring and Planning and Conservation Land Amendment Act conformity. The next two sections address the policy formulation process for these areas.

**2. Monitoring**

A key component of the success of the ROP is the implementation of its policies. Monitoring the ROP policies is vital to ensure objectives and goals are consistent with Regional objectives as established in corporate documents such as the Regional Strategic Plan. The intent of the monitoring component of PROPR is to update the existing Section 7.9 "Monitoring, Reviewing, and Updating" of the ROP with new suggested performance indicator categories and to conform to new provincial monitoring requirements. Provincial policy direction strongly emphasizes the need for the Region, in consultation with the Province, to monitor the implementation of Provincial plans in the Region. A key objective in updating Section 7.9 is to ensure that the Region's monitoring framework has the ability to accurately assess Provincial conformity policies within the ROP while meeting corporate objectives.

**a) Background Research and Analysis**

The existing policies in Section 7.9 "Monitoring, Reviewing, and Updating" outline many areas for monitoring and has been the framework for establishing the Regional Official Plan Monitoring Program (ROPMP). Regional staff has previously reported to council on the progress of the ROPMP on two occasions. Therefore, relatively minor changes are necessary to bring the ROP into full conformity with the Growth Plan, Greenbelt Plan and Provincial Policy Statement (PPS).

Consultations with Regional staff and the conservation authorities were held in March and July 2008 to determine the best potential indicators for the Region to use for monitoring Provincial requirements in the next ROPMP. The suggestions are included as part of the list of suggested indicator categories in Section 7.9.2.3 of the draft amendment.

August 26, 2009

**PEEL REGION OFFICIAL PLAN REVIEW (PROPR) - DRAFT REGIONAL OFFICIAL PLAN AMENDMENT 25 (ROPA 25) - MONITORING POLICIES AND PLANNING AND CONSERVATION LAND AMENDMENT ACT CONFORMITY**

An overarching goal in updating Section 7.9 is to improve and expand the ROPMP to more effectively report on corporate as well as ROP indicators. The policies in ROPA 25 aim to strengthen the ROPMP as an effective monitoring program for the Region. By improving the ROPMP system, the opportunity now exists for this program to support other Regional programs and services beyond the ROP in the long-term.

**b) Policy Formulation**

The draft policies were developed in consultation with Regional and area municipal staff and conform to the Growth Plan, Greenbelt Plan and PPS. The draft amendment proposes policies related to updating existing performance indicators, monitoring, and further defining the Region's relationship with its partner agencies. The existing ROP contains performance indicators, but as a result of PROPR, updating the suggested indicators is necessary. Indicators are to be regularly monitored by the Region with its partner agencies to ensure they remain effective monitoring tools. Implementation of monitoring and evaluating will be discussed through the Technical Advisory Committee (TAC), made up of area municipal and Regional senior policy planning staff. The implementation and progress of the ROPMP will be reported to Council on a regular basis.

The Growth Plan requires the Region to achieve specific intensification, density and housing targets incorporated in the ROP, therefore, a policy was developed to monitor these targets.

The objectives of Section 7.9 have been updated to allow the ROPMP to act as resource and support for other Region of Peel programs and services beyond the ROP. Since the ROPMP has established a strong monitoring framework for the ROP, a policy has been introduced for the Region to develop a strategy for other Region of Peel programs and services that will reflect other programs' and services' objectives and monitor, evaluate and report on their progress and successes.

**3. Planning and Conservation Land Amendment Act Conformity**

Bill 51, the Planning and Conservation Land Statute Law Amendment Act, received Royal Assent in 2006. Most of the implementing Regulations for this Act were proclaimed in 2007. This Act is a continuation of earlier Ontario planning reforms that include the 2005 Provincial Policy Statement, the Places to Grow Act and the Growth Plan for the Greater Golden Horseshoe and the Greenbelt Act. This legislation was a response to a strong demand from municipalities for better tools to manage growth and address the consequences of urban sprawl, to preserve green space and natural resources and to promote development where services and infrastructure are already available.

The Act changes can be summarized as follows:

- establishing clearer rules and more accessible planning processes;
- making more planning and development information available to residents to increase their opportunities to participate early on in the planning process;
- creating new planning and financial tools to enable municipalities to meet their planning goals of compact form, redevelopment, infilling and sustainability; and
- reforming the Ontario Municipal Board process to make planning appeals more accessible to the public with greater emphasis on local decision-making.

August 26, 2009

**PEEL REGION OFFICIAL PLAN REVIEW (PROPR) - DRAFT REGIONAL OFFICIAL PLAN AMENDMENT 25 (ROPA 25) - MONITORING POLICIES AND PLANNING AND CONSERVATION LAND AMENDMENT ACT CONFORMITY**

**a) Background Research and Analysis**

Municipalities are required to include applicable Planning and Conservation Land Amendment Act policies in their official plans as per the *Planning Act*. Regional staff undertook an analysis of the Planning and Conservation Land Amendment Act requirements and has determined that several new policies should be added into the ROP.

**b) Policy Formulation**

This draft amendment proposes to establish new policies within Sections 7.6.2.22, 7.6.2.23 and 7.3.6 to implement the new provisions of the Act as follows:

- Require pre-consultation meetings between Regional staff and prospective applicants on applications for Regional Official Plan Amendments including the information and reports that are required for a Regional Official Plan Amendment in order to deem the application complete or incomplete;
- Allow area municipalities to define their own complete application requirements in their official plans;
- Allow area municipalities to adopt Official Plan policies directing the establishment of local appeal bodies; and
- Include policies for the preparation of Regional community improvement plans and enable the Region's participation, including financial participation, in local community improvement plans.

The proposed Planning and Conservation Land Amendment Act policies have been drafted to ensure that the Regional Official Plan is in conformity with *Planning Act*, as amended.

**CONCLUSION**

It is recommended that Regional Council direct that an open house and a public meeting be scheduled to inform the public and obtain comments on the draft amendment to the ROP pursuant to Section 17 of the *Planning Act*. It is also recommended that Regional Council direct staff to circulate the draft amendment for the monitoring policies and Planning and Conservation Land Amendment Act conformity policies to the Province, appropriate agencies, adjacent municipalities, the Cities of Mississauga and Brampton and the Town of Caledon for their review and comments.

Following formal consultation on this draft Regional Official Plan Amendment 25 (ROPA 25), Regional staff will bring forward a final proposed amendment to the Regional Official Plan for consideration and adoption by Regional Council.

August 26, 2009

**PEEL REGION OFFICIAL PLAN REVIEW (PROPR) - DRAFT REGIONAL OFFICIAL PLAN  
AMENDMENT 25 (ROPA 25) - MONITORING POLICIES AND PLANNING AND  
CONSERVATION LAND AMENDMENT ACT CONFORMITY**



ACTING FOR

Dan Labrecque  
Commissioner of Environment, Transportation  
and Planning Services

**Approved for Submission:**



*for* D. Szwarc, Chief Administrative Officer

*For further information regarding this report, please contact  
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c. Legislative Services

ETP-D3-6

**APPENDIX I**  
August 26, 2009

**PEEL REGION OFFICIAL PLAN REVIEW (PROPR) - DRAFT REGIONAL OFFICIAL PLAN  
AMENDMENT 25 (ROPA 25) – MONITORING POLICIES AND PLANNING AND  
CONSERVATION LAND AMENDMENT ACT CONFORMITY**

**REGION OF PEEL**

**REGIONAL OFFICIAL PLAN**

**REGIONAL OFFICIAL PLAN AMENDMENT  
NUMBER 25 (ROPA 25)**

**AN AMENDMENT TO UPDATE MONITORING  
POLICIES AND PLANNING AND CONSERVATION  
LAND AMENDMENT ACT CONFORMITY  
POLICIES**

**APPENDIX I**  
August 26, 2009

**PEEL REGION OFFICIAL PLAN REVIEW (PROPR) - DRAFT REGIONAL OFFICIAL PLAN  
AMENDMENT 25 (ROPA 25) – MONITORING POLICIES AND PLANNING AND  
CONSERVATION LAND AMENDMENT ACT CONFORMITY**

August 2009

**THE CONSTITUTIONAL STATEMENT**

Part A, The Preamble does not constitute part of this Amendment.

Part B, The Amendment, consisting of amendments to the Text of the Official Plan for Peel Region 1996, constitutes Amendment Number 25 to the Official Plan for Peel Region.

APPENDIX I  
August 26, 2009

**PEEL REGION OFFICIAL PLAN REVIEW (PROPR) - DRAFT REGIONAL OFFICIAL PLAN  
AMENDMENT 25 (ROPA 25) – MONITORING POLICIES AND PLANNING AND  
CONSERVATION LAND AMENDMENT ACT CONFORMITY**

**PART A – THE PREAMBLE**

1. Purpose of the Amendment

The purpose of this amendment is to revise and add policies to the Region of Peel Official Plan (ROP) for the purposes of conformity to Provincial requirements for monitoring and Planning and Conservation Land Amendment Act Conformity (Bill 51).

2. Location

This Amendment applies throughout the Regional Municipality of Peel.

3. Basis

In September 2007, Regional Council endorsed a work program to proceed with a five-year review of the Regional Official Plan (ROP) through the Peel Region Official Plan Review (PROPR) process. The review is considering amendments that are necessary to bring the ROP into conformity with relevant legislation, plans and policies including the Provincial Policy Statement (2005 PPS), the Greenbelt Plan (2005), the Growth Plan for the Greater Golden Horseshoe (2006) and amendments to the *Planning Act* (the Planning and Land Conservation Law Amendment Act, 2006).

In accordance with the endorsed work program, PROPR is being completed through several concurrent policy review projects resulting in several Regional Official Plan Amendments (ROPAs). ROPA 25 includes additions and/or updates to the Plan's monitoring policies and adds new policies to bring the ROP into conformity with the Planning and Conservation Land Amendment Act. Through the policy review, revisions to the Plan's text are being proposed to ensure that the ROP is up-to-date and conforms to provincial policy requirements.

**Monitoring**

Monitoring and measuring the ROP successes is vital to ensure objectives and goals are on track and are met. A key objective in updating monitoring policies is to ensure that the Region's monitoring framework has the ability to accurately assess Provincial conformity policies within the ROP. Updating the monitoring policies aims to strengthen the ROPMP by broadening the program to support other Region of Peel programs and services outside the ROP. In strengthening the ROPMP, policies are included that aim to further define the Region's relationship with its partner agencies for consistent data collection, analysis and regular reporting.

The draft policies were developed in consultation with Regional and area municipal staff and conform to the Growth Plan, Greenbelt Plan and PPS. Provincial legislation directs the Region to incorporate new policies to enable the monitoring of Provincial plans. The ROP contains suggested performance indicators for the existing policies, however,

**APPENDIX I**

August 26, 2009

**PEEL REGION OFFICIAL PLAN REVIEW (PROPR) - DRAFT REGIONAL OFFICIAL PLAN AMENDMENT 25 (ROPA 25) – MONITORING POLICIES AND PLANNING AND CONSERVATION LAND AMENDMENT ACT CONFORMITY**

updating the suggested indicators is necessary to be able to efficiently monitor the success of the new policies which are being introduced through PROPR.

The Greenbelt Plan identifies the need for implementation policies to define how the Region will work with its partner agencies and stakeholders to identify data gaps, determine consistent methodologies for data collection and regularly report findings. The Growth Plan requires the Region to maintain specific intensification, density and housing targets incorporated in the ROP, therefore, a policy was developed to monitor these targets.

Policies reflecting the above Provincial requirements have been included in this amendment to ensure the ROP conforms to all Provincial plans.

**Planning and Conservation Land Amendment Act Conformity**

Bill 51, the Planning and Conservation Land Statute Law Amendment Act, received Royal Assent in 2006. Most of the implementing Regulations for this Act were proclaimed in 2007. The Act was a continuation of earlier Ontario planning reforms that included the 2005 Provincial Policy Statement, the Places to Grow Act and the Growth Plan for the Greater Golden Horseshoe and the Greenbelt Act. In very large measure, this legislation was a response to a strong demand from municipalities for better tools to manage growth and address the consequences of urban sprawl, to preserve green space and natural resources and to promote development where services and infrastructure are already available.

Municipalities are required to include applicable Planning and Conservation Land Amendment Act policies in their official plans as per the *Planning Act*. Regional staff undertook an analysis of the Planning and Conservation Land Amendment Act requirements and has determined that several new policies should be added into the ROP.

The proposed amendments to achieve provincial conformity address the following policy areas:

- Community Improvement Plans;
- Local Appeal Bodies; and
- Complete application requirements for Regional Official Plan Amendments.

**PART B – THE AMENDMENT**

All of the Amendment entitled PART B – THE AMENDMENT, consisting of the attached text constitutes Amendment Number 25 to the Region of Peel Official Plan 1996.

**a. Amendments to Text**

**APPENDIX I**

August 26, 2009

**PEEL REGION OFFICIAL PLAN REVIEW (PROPR) - DRAFT REGIONAL OFFICIAL PLAN AMENDMENT 25 (ROPA 25) – MONITORING POLICIES AND PLANNING AND CONSERVATION LAND AMENDMENT ACT CONFORMITY**

1. Chapter 7, Implementation, Section 7.3 is amended by adding the following after Section 7.3.5:

## 7.3.6 Regional Official Plan Amendments

Applications to amend the Regional Official Plan shall be subject to the following requirements for pre-consultation. Applications to amend the Regional Official Plan must be complete applications as described below.

## 7.3.6.1 Objective

To require pre-consultation for all applications to amend the Regional Official Plan.

## 7.3.6.2 Policy

It is the policy of Regional Council to require a pre-consultation meeting between applicants and Regional staff prior to the submission of an application to amend the Regional Official Plan.

## 7.3.6.3 Objective

To require that all applications to amend the Regional Official Plan be complete applications as described below.

In order to be considered to be a complete application, the following studies, reports and documents are required:

- a completed Regional Official Plan Amendment application form;
- the current application fee;
- a draft of the proposed amendment, including the proposed text and all proposed schedules;
- at least one pre-consultation meeting to determine the required studies, reports and documents; and
- other studies, reports and documents as required through the pre-consultation meeting or meetings.

The following list includes studies that may be required to evaluate an application to amend the Regional Official Plan:

- planning justification;
- environmental impact statement;
- natural heritage evaluation;
- hydrogeological evaluation;
- agricultural impact study;
- landform conservation area study;
- earth science heritage evaluation;
- archaeological assessment;
- Regional municipal comprehensive review;

**APPENDIX I**

August 26, 2009

**PEEL REGION OFFICIAL PLAN REVIEW (PROPR) - DRAFT REGIONAL OFFICIAL PLAN AMENDMENT 25 (ROPA 25) – MONITORING POLICIES AND PLANNING AND CONSERVATION LAND AMENDMENT ACT CONFORMITY**

- transportation study;
- Oak Ridges Moraine Conservation Plan Conformity Study;
- mineral aggregate study; and
- functional servicing report.

This list of studies, reports and documents is not inclusive. Other studies, reports or documents may be requested when an application to amend the Regional Official Plan is received.

2. Chapter 7, Implementation, Section 7.6.2 is amended by adding the following after Section 7.6.2.21:

7.6.2.22 Prepare Community Improvement Plans to further the goals, objectives and policies of this Official Plan. Regional Council may designate any part of the Region as a Community Improvement Project Area. Regional Council may enact a Regional Community Improvement Plan that uses incentive programs including making grants or loans either to registered property owners within the Community Improvement Plan Area or to local municipalities. Regional Council may participate in Community Improvement Plans of an area municipality. Regional Council may use Community Improvement Plans for infrastructure that is within the Region's jurisdiction.

7.6.2.23 Recognize the right of area municipalities to adopt Official Plan policies directing the establishment of local appeal bodies to hear appeals of municipal decisions of minor variance and consent (land severance) applications. No amendment to the Regional Official Plan shall be required in order for one or more local municipalities to establish a local appeal body.

3. Chapter 7, Implementation, Section 7.9, paragraph one, is amended by deleting the words "Urban System and 2021 for the Rural System" and replacing them with "planning horizon to the year 2031."; adding the words "The Regional Official Plan Monitoring Program (ROPMP) is the" before the words "A mechanism"; deleting the "A" before the word "mechanism" and deleting the words "is required" before the words "to identify".

4. Chapter 7, Implementation, Section 7.9 is amended by inserting the following after paragraph one:

"The establishment of the ROPMP led to a systematic approach to evaluating the goals, objectives, and policies in this Plan through the development of a monitoring framework and set of indicators. The ROPMP has provided the foundation for further work to monitor policies in this Plan that conforms to Places to Grow. Monitoring of this Plan will lead to opportunities to share expertise and knowledge in developing systematic approaches that monitor the progress of other Regional programs and services."

## APPENDIX I

August 26, 2009

**PEEL REGION OFFICIAL PLAN REVIEW (PROPR) - DRAFT REGIONAL OFFICIAL PLAN AMENDMENT 25 (ROPA 25) – MONITORING POLICIES AND PLANNING AND CONSERVATION LAND AMENDMENT ACT CONFORMITY**

5. Chapter 7, Implementation, Section 7.9, paragraph two, is amended by deleting the word "This" and replacing it with the words "The monitoring policies of this"; deleting the words "as required by the Planning Act," and replacing them with the words "on a regular basis".
6. Chapter 7, Implementation, Section 7.9.1.1 is amended by deleting the words "establish a mechanism" and replacing them with the words "continue the Regional Official Plan Monitoring Program (ROPMP)"
7. Chapter 7, Implementation, Section 7.9.1 is amended by adding the following after section 7.9.1.2:
  - 7.9.1.3 To develop objectives and indicators, measure performance and outcomes, and related metrics to support the *Region of Peel's* programs and *services*.
8. Chapter 7, Implementation, Section 7.9.2.1 is amended by deleting it and replacing with the following:
  - 7.9.2.1 Develop a strategy for *Region of Peel* programs and *services* that reflects corporate objectives, and monitors, evaluates, and reports on progress and successes.
9. Chapter 7, Implementation, Section 7.9.2 is amended by adding the following after Section 7.9.2.1:
  - 7.9.2.2 Evaluate and update with the area municipalities, the conservation authorities, and other stakeholders the existing monitoring framework and indicators and prepare the ROPMP report regularly to evaluate the level of progress in meeting the goals, objectives and policies in this Plan.
10. Chapter 7, Implementation, Section 7.9.2.2 is amended by deleting it and replacing it with the following and renumbering it to 7.9.2.3:
  - 7.9.2.3 Collaborate and develop, with the area municipalities, conservation authorities, the Province, other government agencies, and the community, appropriate indicators to analyze the effectiveness of this Plan and to serve as a basis for any policy adjustments which results from this analysis.

Indicator categories to be monitored may include, but are not necessarily limited to:

- designated greenspace
- natural cover
- urban tree canopy
- indicator species
- surface and groundwater quality and quantity

## APPENDIX I

August 26, 2009

**PEEL REGION OFFICIAL PLAN REVIEW (PROPR) - DRAFT REGIONAL OFFICIAL PLAN AMENDMENT 25 (ROPA 25) – MONITORING POLICIES AND PLANNING AND CONSERVATION LAND AMENDMENT ACT CONFORMITY**

- water use and efficiency
- *transit modal share*
- transportation demand management
- *redevelopment* to total *development*
- residential and non-residential densities
- housing production
- industrial/commercial ratios
- employment to population ratios
- employment land area
- work force
- designated greenfield densities
- residential *development* in built-up area
- household waste
- energy use

11. Chapter 7, Implementation, Sections 7.9.2.3 and 7.9.2.4 are amended by deleting them and Section 7.9.2.4 is replaced with the following:

7.9.2.4 Work, jointly with the area municipalities and conservation authorities to identify data gaps when selecting indicators and establish consistent methodologies for data collection so information can be compared across *the Region*.

12. Chapter 7, Implementation, Section 7.9.2.7 is amended by deleting the word “and” after the words “*the Region*” and replacing it with a comma: “,” ; by adding the words “and the conservation authorities” before the words “which may be identified” and by renumbering it to 7.9.2.5

13. Chapter 7, Implementation, Section 7.9.2.8 is renumbered to Section 7.9.2.6

14. Chapter 7, Implementation, Section 7.9.2 is amended by adding the following new section after renumbered Section 7.9.2.6:

7.9.2.7 Work with the area municipalities to develop a consistent methodology to monitor the intensification, density, and housing targets in this Plan.

15. Chapter 7, Implementation, Section 7.9.2.5 is renumbered to Section 7.9.2.8

16. Chapter 7, Implementation, Section 7.9.2.6 is renumbered to Section 7.9.2.9

17. Chapter 7, Implementation, Section 7.9.2.9 is renumbered to Section 7.9.2.10

18. Chapter 7, Implementation, Section 7.9.2.10 is renumbered to Section 7.9.2.11

19. Chapter 7, Implementation, Section 7.9.2.11 is renumbered to Section 7.9.2.12