

Report To:	Regional Chair and Members of Regional Council
From:	Bob Gray, Commissioner, Legislative and Planning Services and Corporate Counsel
Date:	December 15, 2021
Report No:	LPS92-21
Re:	Milton Education Village Regional Official Plan Amendment Application – Initiation Report (File No. RQ62A)

RECOMMENDATION

1. THAT Regional staff be directed to proceed with a Statutory Public Meeting for the Proposed Regional Official Plan Amendment (File RQ62A) – “Milton Education Village and Associated Protected Countryside Lands in the Greenbelt” by the end of the first quarter of 2022 to fulfill the requirements of the *Planning Act*.
2. THAT the Regional Clerk forward a copy of Report No. LPS92-21 to the City of Burlington, the Town of Halton Hills, the Town of Milton, the Town of Oakville, the Ministry of Municipal Affairs and Housing, and Conservation Halton, for their information and comment.

REPORT

Executive Summary

- The Milton Education Village represents an important and strategic initiative for the Town and Region. It is the focus of a number of longstanding and ongoing planning initiatives aimed at achieving an overall vision for a complete community and mixed-use area anchored by post-secondary education.
- The Town of Milton has filed a Regional Official Plan Amendment application related to the Milton Education Village. The proposed amendment is provided as Attachment #1 to this report. The application proposes to permit a range of uses on lands adjacent to the Milton Education Village and within the Protected Countryside area of the Greenbelt Plan and the Agricultural System and Natural Heritage System of the Regional Official Plan. The proposed uses, related to the Milton Education Village and the future Wilfred Laurier University Campus, include stormwater management infrastructure, uses related to the use of renewable resources, and related educational uses.

- The purpose of this report is to provide information to Regional Council on the ROPA application, to outline key Regional and Provincial policy considerations, and to discuss next steps in the review of the application.

Background

The Milton Education Village (MEV) is an area in the Town of Milton located west of Tremaine Road generally between Derry Road to the north and Britannia Road to the south. On its western side, the MEV is adjacent to the Protected Countryside area of the Provincial Greenbelt Plan. The MEV is planned around a vision for a complete community and mixed-use innovation district anchored by a post-secondary education campus. A context map showing the location of the MEV is provided as Attachment #2 to this report.

Planning initiatives related to the MEV have been underway for some time. To assist with understanding the context for the Town of Milton's ROPA application related to the MEV, a brief summary of these past and current planning initiatives is provided below:

- ***Sustainable Halton***

Through the Region's Sustainable Halton process, which culminated with ROPA 38 in 2009, Halton identified a strategy to accommodate growth to the year 2031. This included the addition of the MEV lands to the Urban Area in the Regional Official Plan, with the northern and southern areas of the MEV identified as Employment Areas.

- ***MEV Secondary Plan (OPA 62)***

In accordance with the Regional Official Plan, the Town developed a Secondary Plan to guide development within the MEV. The Secondary Plan was adopted by Town Council in December 2020 and forwarded to the Region for approval in January 2021. In the time since, Regional staff have been working with the Town to address conformity to the Regional Official Plan (e.g., the Employment Area overlay, discussed below in relation to ROPA 48) and to support completion of required technical studies, including those related to water and wastewater infrastructure, transportation infrastructure, and natural heritage. The review of these studies is underway, with the Town recently submitting updated versions for Regional review. Regional staff will continue to work with the Town on any required revisions and towards finalization of these documents, staff will also identify any necessary modifications to the Town's Secondary Plan.

- ***MEV Minister's Zoning Order (MZO)***

As part of the adoption of the MEV Secondary Plan, Town Council directed Milton staff to request a MZO from the Province in order to expedite the core development of the MEV. The Minister of Municipal Affairs and Housing issued such an MZO in June 2021. This MZO generally applies to the northern portion of the MEV, which includes the post-secondary campus lands as well as lands that would accommodate a range of residential, commercial and institutional uses supportive of the campus and the MEV. The effect of the MZO is to permit as-of-right development permissions to move

forward with these uses. However, the proponents of development will still be required to submit applications (plans of subdivision, etc.) to the Town and Region to ensure Town and Regional development interests and requirements (such as the provision of water and wastewater servicing, transportation infrastructure, etc.) are appropriately addressed and secured.

- ***Halton's Regional Urban Structure (ROPA 48)***

As part of the ongoing Regional Official Plan Review process, in July 2021 Regional Council adopted ROPA 48 – “An Amendment to Define a Regional Urban Structure”. This amendment defines Halton's Regional Urban Structure by identifying Strategic Growth Areas and advancing key employment conversions to reinforce growth that supports this defined urban structure. Among other things, the amendment removes the Employment Area overlay from the lands within the MEV, facilitating the mixed-use vision for the area. The Minister of Municipal Affairs and Housing approved ROPA 48 in November 2021, confirming the removal of the MEV lands from the Region's Employment Area overlay.

- ***MEV Development Applications***

In July 2021, a pre-consultation meeting was held for development applications related to lands within the MEV owned by Mattamy Homes and Milton Land Four Investments Inc. that are subject to the MZO. At this time, a concept plan for the MEV in its entirety was provided, including the campus lands owned by Wilfred Laurier University, although they were not part of the formal pre-consultation. Two draft plans of subdivision for Mattamy Homes and Milton Land Four Investments Inc. were provided. They propose various blocks of uses including residential, mixed uses, institutional, and campus uses, as well as open space. The Milton Land Four Investments Inc. plan proposed stormwater management ponds within the Greenbelt Plan lands to the west, which is not supported by the Town of Milton or Halton Region.

In November 2021, a pre-consultation meeting was held for a draft plan of subdivision application related to lands owned by Wilfred Laurier University. The lands subject to the application include areas within the MEV Secondary Plan that are also subject to the MZO. It also includes lands within the adjacent Greenbelt Plan Protected Countryside area that are outside of the Secondary Plan area and that are not subject to the MZO. The draft plan of subdivision presented provides details on the block plan and road network for the campus lands and the integration of the campus with the adjacent Greenbelt Plan lands.

The Region is currently working with Town and landowners within the MEV on how to address Regional interests in infrastructure, servicing requirements, and financial planning in order to support development of the MZO and Secondary Plan lands. Regional servicing allocation will be required for the residential uses that are planned for the MEV lands and staff are working to define how allocation will be addressed.

The MEV Regional Official Plan Amendment (ROPA) Application

The Town's December 2020 recommendation report on the MEV Secondary Plan noted that an amendment to the Regional Official Plan would be required in order to facilitate the Town's vision for the MEV. First, the report identified the need to remove the Employment Area overlay applicable to the northern and southern portions of the MEV, as residential and non-employment uses would be prohibited in these areas. Second, the report identified the need for a site-specific policy to enable consideration of green infrastructure, including naturalized stormwater management systems, and a broad range of activities related to the use of renewable resources, including education programming, within the Protected Countryside area of the Greenbelt Plan adjacent to the MEV.

Initial discussions between Region and Town staff on an amendment to the Regional Official Plan occurred in early 2020. A formal pre-consultation meeting was held on July 15, 2020 in accordance with the requirements of the *Planning Act* and the Regional Official Plan. Following subsequent discussions, formal meeting notes and application submission requirements were provided to the Town in October 2020.

On November 11, 2020, the Town filed a ROPA application related to the MEV. The application included a Draft ROPA, a Planning Justification Report, and other supplemental information related to the Town's Secondary Plan. Regional staff reviewed the application, deemed it complete on December 16, 2020, and provided notice of the complete application in accordance with the *Planning Act*. The notice letter to the Town advised that as Regional staff progressed through reviewing the application, additional information may be required prior to taking the application forward to Regional Council.

In the time since the application was filed, many of the planning initiatives related to the MEV have progressed and greater clarity has emerged on the nature of the ROPA, the uses it seeks to permit, and its relationship to the Wilfred Laurier University campus.

As noted above, the removal of the Employment Area overlay from the MEV was adopted by Regional Council through ROPA 48 and subsequently approved by the Province in November 2021. Town staff have advised that following the Provincial approval of ROPA 48, the employment conversion aspect of the Town's MEV ROPA will no longer be necessary and will be withdrawn from the application.

With respect to the uses proposed on the adjacent Greenbelt Plan lands, conceptual plans for the university campus were provided in July 2021. In September and October 2021, the Town and Wilfred Laurier University provided additional information in support of this aspect of the ROPA application, including a revised ROPA, an Agricultural Impact Assessment, a Preliminary Design Report for the proposed stormwater management facility, and other supplemental documents. This information has provided a greater degree of clarity on the proposed ROPA, and as a result, Regional staff recommend proceeding with a public meeting in early 2022.

Discussion

Proposed MEV ROPA – Content and Purpose

The proposed ROPA as revised and submitted by the Town in October 2021 is provided as Attachment #1 to this report. The proposed ROPA applies to lands located west of the Milton Education Village. The subject lands are approximately 41 hectares (101 acres) in size and are bounded by Bell School Line and the City of Burlington boundary to the west, agricultural and natural heritage lands to the north and south, and the MEV, including the existing velodrome and the future Wilfred Laurier University Campus to the east. The location of the subject lands and their designations as per Map 1 – Regional Structure of the Regional Official Plan are identified on Attachment #2 to this report.

The subject lands are within the Protected Countryside area of the Greenbelt Plan and are subject to its Natural System and Agricultural System, with parts of the lands designated as prime agricultural areas in Provincial mapping of the agricultural land base. In the Regional Official Plan, the lands are located outside of the Urban Area and are designated Regional Natural Heritage System and Agricultural Area on Map 1. The lands are also within the Greenbelt Natural Heritage System and comprise key features and enhancements, linkages, and buffers as shown on Map 1G. The lands also contain Prime Agricultural Areas within the Agricultural System as shown on Map 1E.

The ROPA proposes to amend the Regional Official Plan to enable a number of uses on the subject lands that are related to and supportive of the MEV and the Wilfred Laurier University campus. These proposed uses would be permitted on a site-specific basis and only subject to meeting a number of policy tests and criteria as set out in the proposed amendment. The proposed uses include:

- green infrastructure, such as stormwater management systems;
- a range of uses related to the use of renewable resources;
- greenhouses associated with agricultural operations or scientific study, education and research purposes;
- buildings or structures that may provide temporary lodging and board for the provision of programs and services of Indigenous placemaking and cultural camps; and,
- non-intensive recreation uses related to cultural heritage, scientific study or education and research uses, including outdoor education and classroom spaces.

As noted above, as part of the pre-consultation in July 2021 for development applications within the MEV, a Conceptual Greenbelt and Campus Framework drawing was submitted. As part of the supplemental information provided in October 2021 to support the ROPA application, the Preliminary Design Report for the proposed stormwater management facility included a preliminary concept and layout for the facility on the Greenbelt Plan lands. These drawings are provided as Attachment #3 to this report. They represent concepts and may be subject to further refinement by the proponent and resulting from the assessment of the proposed ROPA. In addition, the layout and nature of the facility

may evolve over time along with the Wilfred Laurier University's programming and research objectives. Having said that, the concepts provide a general understanding of the nature and scale of development contemplated on the subject lands.

The proposed ROPA and the materials provided to support it highlight the unique nature of the proposal and its relationship to the Wilfred Laurier University campus and the MEV.

Key Policy & Technical Considerations

Many important policy tests and technical assessments must be addressed as part of the proposed ROPA. The Town has provided a Planning Justification Report and supplemental information that addresses many of these considerations. To support Regional Council's understanding of the proposed amendment, key policy and technical considerations are summarized below. In some instances, additional information and analysis that is still required or under review is identified.

Infrastructure in the Greenbelt Plan & Regional Official Plan

The Greenbelt Plan permits infrastructure in the Protected Countryside under limited circumstances and provided that any infrastructure must meet key objectives and policy tests that address impacts to its Natural Heritage System, Water Resource System, and Agricultural System. The Greenbelt Plan contains specific policies that apply to stormwater management infrastructure. In general, stormwater management systems are prohibited in key natural heritage features, key hydrologic features, and their associated vegetation protection zones.

As the ROPA proposes to permit infrastructure in the form of stormwater management facilities within the Protected Countryside, addressing conformity to the Greenbelt Plan policies discussed above will be a consideration as part of staff's assessment of the application.

In addition to the policies of the Greenbelt Plan, the Regional Official Plan also contains direction related to planning for infrastructure. In particular, within the Regional Natural Heritage System, only 'essential' infrastructure is permitted. The Regional Official Plan defines essential as "that which is deemed necessary to the public interest after all alternatives have been considered".

Additional Uses in the Greenbelt Plan & Regional Official Plan

In addition to the stormwater management facility, the ROPA proposes a number of other uses that propose to have a relationship to the education and research functions of the Wilfred Laurier University campus. These include a range of uses related to the use of renewable resources, greenhouses, Indigenous placemaking, and non-intensive recreation uses related to cultural heritage, scientific study or education and research uses, including outdoor education and classroom spaces.

The Greenbelt Plan permits specific types of non-agricultural uses such as infrastructure (Section 4.2) and natural resources (Section 4.3), and cultural heritage resources (Section 4.4), among others. The Regional Official Plan permits a number of these types of uses in the Regional Natural Heritage System and Agricultural Area, subject to other policies of the Plan.

As the ROPA proposes to permit a range of non-agricultural uses within the Protected Countryside, addressing conformity to the Greenbelt Plan policies discussed above will be a consideration as part of staff's assessment of the application.

Natural Heritage System Considerations

The Greenbelt Plan includes a strong natural heritage framework, which only permits development or site alteration in key features and their associated vegetative protection zones under very specific circumstances. These circumstances include for infrastructure subject to specific criteria. According to the Greenbelt Plan, stormwater management infrastructure is prohibited within key natural and key hydrologic features and their associated vegetated protection zones (with an exception for naturalized facilities in the vegetation protection zone of certain significant valleylands).

The Regional Official Plan also includes strong policy direction for its Natural Heritage System. In addition to only permitting 'essential' infrastructure, the Regional Official Plan contains policies that support a systems-based approach to natural heritage and prohibit or restrict development within the Regional Natural Heritage System.

A Scoped Characterization and Baseline Inventory (SCBI) Report and a Functional Stormwater and Environmental Management Strategy (FSEMS) were prepared to support the development of the MEV lands. These studies remain under review by the Region and Conservation Halton, with the Region's most recent comment provided to the Town in November 2021. The focus of these studies was to address the natural heritage components of the MEV Secondary Plan lands. The Greenbelt Plan lands which are subject to the ROPA have not received the same level of detailed analysis.

The detailed analysis of the ROPA lands is planned to occur through a future Subwatershed Impact Study which is currently underway. It will be important that these studies contain the requisite information for staff to assess conformity with the policies of the Greenbelt Plan and the Regional Official Plan given the policies noted above.

Agricultural System Considerations

As noted above, portions of the subject lands are identified as prime agricultural areas in the Regional Official Plan, and a greater portion of the lands are designated as prime agricultural areas in the Provincial mapping of the agricultural land base. The Provincial Policy Statement (PPS), 2020, the Greenbelt Plan, and the Regional Official Plan all generally discourage non-agricultural uses within prime agricultural areas, only permitting certain uses such as infrastructure, natural resource uses, cultural heritage resources,

existing uses, and lot creation, and only after the completion of an agricultural impact assessment. The Regional Official Plan largely reflects the Greenbelt Plan policy framework, only permitting non-agricultural uses where permitted by the Greenbelt Plan and requiring impact assessments for non-farm uses.

An Agricultural Impact Assessment (AIA) was submitted in October 2021 to support the application and is currently under review. The AIA must provide information and assess the need for the non-agricultural use, evaluate alternatives, and outline impacts to agricultural lands and activities. These will be important considerations for staff to assess conformity with the policies of the Provincial Policy Statement, Greenbelt Plan and the Regional Official Plan.

Next Steps

The Town and Wilfred Laurier University have submitted a number of documents that provide information in support of the ROPA application, which are currently under review. Where there is additional information required, staff have been working closely with the Town and Laurier to ensure all necessary rationale is provided to support the review and processing of the ROPA application.

Public consultation is an important part the process to amend the Regional Official Plan. To that end, the Town's application and supporting materials will be made available for review on **halton.ca**. The application and supporting materials have also been circulated for comment to the Ministry of Municipal Affairs and Housing, Conservation Halton, and other public agencies. A public information centre and a statutory public meeting of Regional Council will be held in the first quarter of 2022 to provide opportunities for the public to ask questions and provide feedback on the application.

Following the public information centre and statutory public meeting, and based on all feedback received, Regional staff will prepare a report to Regional Council with a recommendation on the application later in 2022.

FINANCIAL/PROGRAM IMPLICATIONS

The cost of reviewing the Regional Official Plan Amendment is funded from the Planning Services Operational Budget.

Respectfully submitted,



Curt Benson
Director, Planning Services and Chief
Planning Official



Bob Gray
Commissioner, Legislative and Planning
Services and Corporate Counsel

Approved by



Jane MacCaskill
Chief Administrative Officer

If you have any questions on the content of this report,
please contact:

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Attachments: Attachment #1 – Proposed MEV ROPA (RQ62A) - October 2021 Version
Attachment #2 – MEV Context Map
Attachment #3 – Wilfred Laurier University Greenbelt Lands Concept Plans