



INFORMATION REPORT

TO: Chair and Members Planning Committee	WARD(S) AFFECTED: CITY WIDE
COMMITTEE DATE: March 20, 2012	
SUBJECT/REPORT NO: Policies Related to Employment Land Conversions (PED12039)	
SUBMITTED BY: Tim McCabe General Manager Planning and Economic Development Department	PREPARED BY: Joanne Hickey Evans (905) 546-2424 Ext. 1282
SIGNATURE:	

Council Direction:

At the January 31, 2012, Planning Committee Meeting, in conjunction with a proposed Notice of Motion, staff was requested to prepare a report explaining the policies and requirements with respect to the conversion of employment lands to non-employment land uses, specifically as it relates to the north side of Barton Street, west of West Avenue in the former City of Stoney Creek.

Information:

Background:

In 2011, the Ontario Municipal Board approved a redevelopment (Losani Development) of lands north of Barton Street, west of to redesignate lands in the Region of Hamilton-Wentworth and City of Stoney Creek Official Plans (OP) from Industrial to Urban/Residential. There were several properties fronting on Barton Street (Nos. 1215 to 1239) that were not part of the Losani application. They remain designated Business Park in the Region of Hamilton-Wentworth OP and Industrial in the Stoney Creek OP. In the Urban Hamilton Official Plan the lands are designated as Employment Area-Business Park.

1.0 Provincial Policy

There are requirements in both the Provincial Policy Statement (PPS) and the Growth Plan for the Greater Golden Horseshoe (Growth Plan) that address employment land conversion. The policies in the PPS are described in more general terms than the Growth Plan. The Growth Plan provides greater specificity and guidance for employment land conversions. The two provincial documents do not conflict.

1.1 Growth Plan for the Greater Golden Horseshoe

The Growth Plan came into effect on June 16, 2006. Municipalities are required to conform to the Growth Plan. Through the development of the Urban Hamilton Official Plan, the policies of the Growth Plan have been incorporated and conform to them.

The Growth Plan contains policies that identify the criteria under which the redesignation of employment lands can take place. The policies are attached as Appendix A. The applicable policies (2.2.6.5) are summarized below:

Municipalities may permit conversion of lands within employment *areas*, to non-employment uses as long they apply the policies and schedules of the Growth Plan in a comprehensive manner. The relevant policies, among others, are noted below.

- a. To update the land budget to determine if they are not needed over the long term and to apply the employment forecasts;
- b. To determine if there is a need for the conversion;
- c. To determine how it affects the overall viability of the employment area and the intensification and density targets; and,
- d. To review the planned infrastructure.

A Municipal Comprehensive Review is defined as a process whereby the municipality applies the Growth Plan policies either as part of an OPA or official plan review. If the City chose to redesignate the lands from employment to non employment uses through an OPA, then requirements of the Policy 2.2.6.5 noted above would apply. A further review of other policies in the Growth Plan would also be undertaken.

1.2 Provincial Policy Statement (PPS)

The PPS contains similar policies to the Growth Plan, attached as Appendix A. These policies do not provide as clear a process as the policies in the Growth Plan.

2.0 Municipal OP Policy

2.1 Region of Hamilton-Wentworth and the City of Stoney Creek OP's

The lands are designated Business Park in the Region of Hamilton-Wentworth OP and Industrial in the Stoney Creek OP (attached as Appendix B). Neither Plan contains policies directing when or how a redesignation of industrial lands would occur.

Notwithstanding the current OP policies, the City has to conform to the Growth Plan. Therefore, the Growth Plan policies apply.

2.2 Urban Hamilton Official Plan

To further articulate when employment land redesignations could occur, policies have been included in the new Urban Hamilton Official Plan to address employment land conversion (Policies F.1.10 to 12, attached as Appendix "A"). The intent of policies is to ensure that any potential redesignation of employment land occur along with other policies/designations as part of the review of the OP. Further, the intent was to prevent ad hoc redesignations of employment lands. The one exception is in the case of a major change in an employment area, and then a city wide study could occur prior to a five year OP review.

3.0 Conclusion:

Based on the policies and definitions of the Growth Plan respecting employment land conversions and the definition of municipal comprehensive review, it appears that a city initiated official plan amendment for the Barton Street lands may be undertaken to redesignate these lands to non employment uses provided all the policies and schedules of the Growth Plan are applied in a comprehensive manner. Analysis of these policies appear that a justification to redesignate this small enclave of employment lands with existing residential uses could be made.

JHE:cb

Attachs. (2)

Provincial Policies and Urban Hamilton Official Plan Policies

Growth Plan for the Greater Golden Horseshoe (Growth Plan)

- 2.2.6.5 Municipalities may permit conversion of lands within *employment areas*, to non-employment uses, only through a *municipal comprehensive review* where it has been demonstrated that –
- a) there is a need for the conversion;
 - b) the municipality will meet the employment forecasts allocated to the municipality pursuant to this Plan;
 - c) the conversion will not adversely affect the overall viability of the *employment area*, and achievement of the *intensification target, density targets*, and other policies of this Plan;
 - d) there is existing or planned infrastructure to accommodate the proposed conversion;
 - e) the lands are not required over the long term for the employment purposes for which they are designated;
 - f) cross-jurisdictional issues have been considered.

Municipal Comprehensive Review: An official plan review, or an official plan amendment, initiated by a municipality that comprehensively applies the policies and schedules of this Plan.

Provincial Policy Statement (PPS)

- 1.3.2 Planning authorities may permit conversion of lands within *employment areas* to non-employment uses through a *comprehensive review*, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

Definition of Comprehensive review

Comprehensive Review: means

- a) for the purposes of policies 1.1.3.9 and 1.3.2, an official plan review which is initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning authority, which:
 1. is based on a review of population and growth projections and which reflect projections and allocations by upper-tier municipalities and *provincial plans*, where applicable; considers alternative directions for

- growth; and determines how best to accommodate this growth while protecting provincial interests;
2. utilizes opportunities to accommodate projected growth through *intensification* and *redevelopment*;
 3. confirms that the lands to be developed do not comprise *specialty crop areas* in accordance with policy 2.3.2;
 4. is integrated with planning for *infrastructure* and *public service facilities*; and
 5. considers cross-jurisdictional issues.

Urban Hamilton Official Plan

F.1.1.10 The City shall consider if there is a need to undertake a *Municipally Initiated Comprehensive Review*, at the time of an official plan review. To determine the need for a review, the City shall have regard for the following matters:

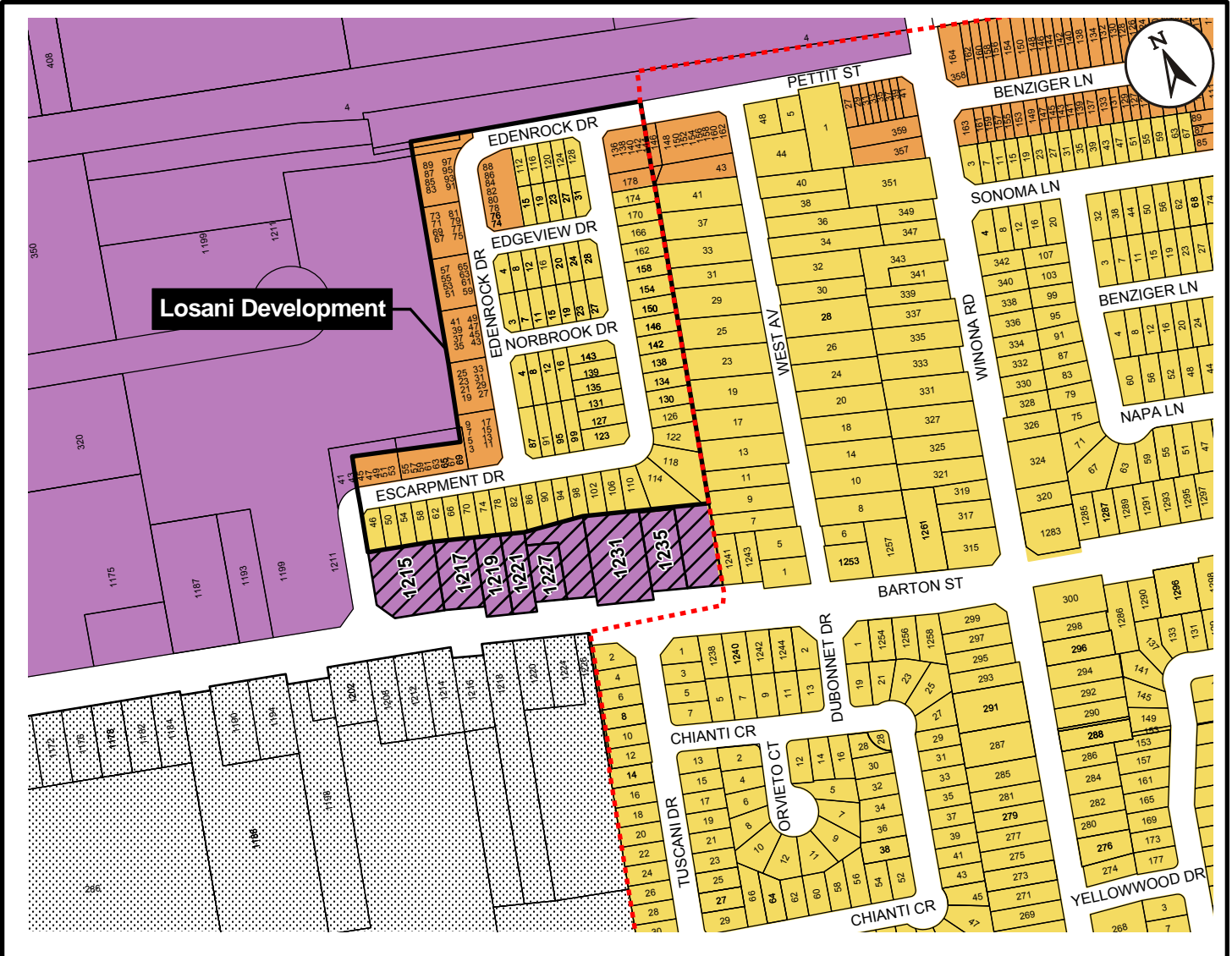
- a. any changes to the population and employment growth targets as prescribed by provincial legislation; or,
- b. any changes to provincial policy or legislation; or,
- c. the amount of employment and/or non-employment land to meet the projected needs for up to 20 year time horizon; or,
- d. any major Official Plan policies which are outdated.

F.1.1.11 In addition to the policies of the Growth Plan for the Greater Golden Horseshoe respecting a *Municipally Initiated Comprehensive Review* for employment lands the City shall prepare and apply a set of criteria to determine potential conversion sites or regeneration areas.

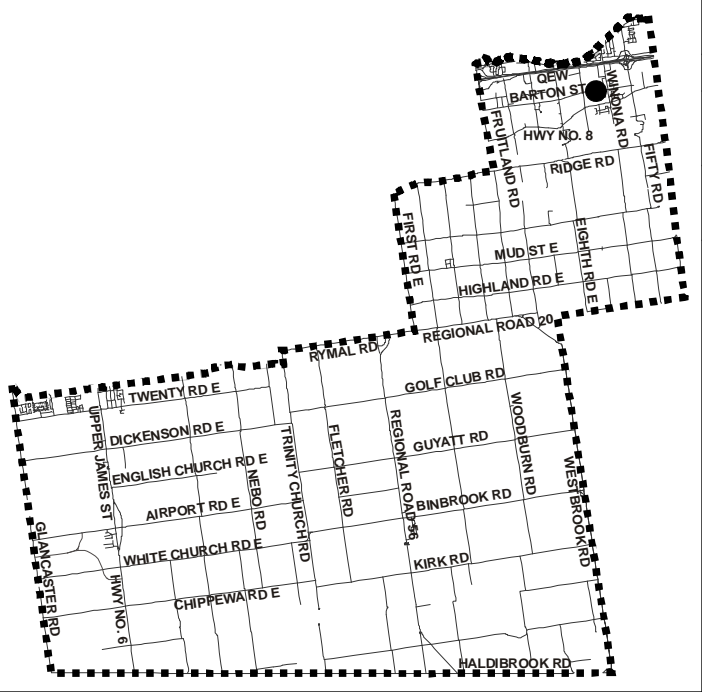
F.1.1.12 Notwithstanding Policy F.1.1.10, if a major change in an Employment Area has taken place prior to the initiation of a mandatory official plan review, Council may direct that a *Municipally Initiated Comprehensive Review* for City-wide employment lands be undertaken.

Definition of Municipally Initiated Comprehensive Review

Municipally Initiated Comprehensive Review: means a plan, undertaken by the City, which comprehensively applies the policies and schedules of the *Growth Plan for the Greater Golden Horseshoe*, the Provincial Policy Statement and the Official Plan. It can be undertaken on specific land use components, such as residential, employment, or undertaken as one comprehensive plan.



● Site of the Application



Ward 11 Key Map

N.T.S.

Location Map



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

Planner/Technician:
KM/LMM

Date:
February 17, 2012

Scale:
N.T.S.

File Name/Number:
1215-1239BartonStreet

Subject Property

1215,1217,1219,1221,1227,1231, 1235 & 1239 Barton Street

Winona Urban Community Boundary

Losani Development Lands

Land Use Designations

Low Density Residential

Medium Density Residential

Industrial Business Park

Special Policy Area F