

Corporate Report

Report from Planning and Building Services, Planning Services

Date of Report: May 13, 2015

Date of Meeting: May 25, 2015

Report Number: PBS-142-2015

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Subject: 2015 Coordinated Review of Provincial Land Use Policy, Greenbelt Plan, Places to Grow (Growth Plan for the Greater Golden Horseshoe) and the Niagara Escarpment Plan

Recommendation

1. Greenbelt Plan

That Council request the Ministry of Municipal Affairs and Housing to defer consideration of any additions or deletions to the Greenbelt Plan area that impact lands within the City of St Catharines, until the Region of Niagara Municipal Comprehensive Review of the Regional Official Plan is complete (tentatively 2016). The Region's Municipal Comprehensive Review will confirm a Regional growth strategy for both jobs and population which will determine the capability of the current Urban Area to accommodate future growth. Any additions or removal of lands from the Greenbelt Plan boundary, as part of this review, may prematurely impact the City's Urban Area Boundary; and

That Council advise the Ministry of Municipal Affairs and Housing of the following matters that are recommended for consideration now as part of the 2015 Provincial Review for the Greenbelt Plan.

- a) The minimum lot size requirement for farm parcels in Niagara be evaluated and appropriate viable farm parcel size requirements be established based on a Niagara perspective;
- b) Natural heritage policies, specifically the buffer area requirements be reduced to provide greater flexibility in implementation and support for alternative measures to protect and integrate natural heritage with agricultural practices;
- c) The Natural Area and Heritage mapping be reviewed to ensure consistent application and interpretation with other provincial and agency mapping, and be based on ground tested evaluations where necessary;
- d) The policies for non-agricultural uses (such as churches, schools) be reconsidered to include support for re-purposing of non-agricultural uses to

permit alternative non-agricultural uses that do not compromise the Greenbelt Plan objectives;

- e) A minor boundary adjustment be approved for lands at 349 St Paul Street West, as identified in Appendix 8, to exclude *all* of the lot from the Greenbelt Plan;

2. Niagara Escarpment Plan

That Council advise the Province of the following matters that are recommended for consideration as part of the 2015 Provincial Review for the Niagara Escarpment Plan

- a) The NEC's "Development Control Area" designation be removed from those lands located within the City's Urban Area;
- b) The 'Escarpment Natural Area' and 'Escarpment Urban Area' designations within the City's Urban Area, be reviewed to determine defensible boundary between the two designations;

3. Both Greenbelt Plan and Niagara Escarpment Plan

That Council advise the Province of the following matter that are recommended for consideration as part of the 2015 Provincial Review for the Greenbelt Plan and the Niagara Escarpment Plan

- a) That consistent application of regulations and policies be implemented for uses that are permitted by both Plans where plan area boundaries overlap;

4. Places to Grow

That Council advise the Province of the following matter for consideration as part of the 2015 Provincial Review of Places to Grow:

- a) The minimum density target measurements in Places to Grow, (50 persons /jobs per hectare) especially as it applies to employment density be reviewed and to provide for more concise direction and relevant metric to address forecasted employment needs and growth;

- 5. That Council support the Region of Niagara's submission to the Province titled "Coordinated Provincial Plans Review Comments" and the "Niagara Region Greenbelt Plans Review – Summary Report (2013)".

Summary

The Province recently launched a 2015 Coordinated review of four Provincial plans: the Greenbelt Plan (GP), Places to Grow (Growth Plan for the Greater Golden Horseshoe) (P2G), the Niagara Escarpment Plan (NEP) and the Oak Ridges Moraine Conservation Plan (not applicable to St Catharines). Staff recommend Council respond to the first phase of the provincial land use plans review, as outlined in the Recommendations contained in this report.

Background

Provincial Policies That Direct Local Land Use Policy

Under section 3 of the Planning Act, the provincial Minister of Municipal Affairs and Housing may issue policy statements on matters relating to municipal planning that, in the opinion of the Minister, are of provincial interest. The provincial policy statements relevant to the City are:

The Provincial Policy Statement - 2014 (not currently under review)

The Greenbelt Plan – 2005

Places to Grow (Growth Plan for the Greater Golden Horseshoe) - 2006

The Niagara Escarpment Plan -1985, revised in 1994 and 2005

The Planning Act requires periodic review of all provincial policy statements to ensure they remain effective and relevant. The current 2015 Coordinated Review of four Provincial Policies, The Greenbelt Plan, Places to Grow (Growth Plan for the Greater Golden Horseshoe) , the Niagara Escarpment Plan, and the Oak Ridges Moraine Conservation Plan (not applicable to St Catharines) fulfills the Planning Act requirement for periodic review. The review is also directed by the need to manage growth effectively and protect and preserve our natural resources. The Ministry of Municipal Affairs and Housing, as part of its coordinated review, has requested input from all stakeholders. This report provides Council with recommendations that, if supported by Council, should be submitted to the Ministry of Municipal Affairs and Housing for review and consideration.

The 2015 Coordinated Provincial Review Process

In February, 2015, the Province launched the first phase of a coordinated review of four Provincial land use plans – the Greenbelt Plan (2005), the Places to Grow (2006), the Niagara Escarpment Plan (1985) and the Oak Ridges Moraine Conservation Plan (2002) (not applicable to St. Catharines) .

While the Oak Ridges Plan does not relate to Niagara, the other three Plans have a significant and direct impact on the City and the Region, and the manner in which we can plan to accommodate future growth and development at the local level.

The first phase of the Provincial Review is to solicit input from all stakeholders on the various Plans, and commenced with the release of a Discussion Paper “Our Region/Our Community /Our Home” Appendix 1). This paper provides an overview of each Plan, and sets out 6 major goals of the review, as follows:

- Protecting agricultural land, water and natural areas
- Keeping people and goods moving, and building cost-effective infrastructure
- Fostering healthy, livable and inclusive communities
- Building communities that attract workers and create jobs
- Addressing climate change and building resilient communities
- Improving implementation and better aligning the plans

The Province has requested formal comment on phase one of the review by May 27, 2015. It is anticipated that the second component of the review will commence in the winter of 2015/16 with the release of proposed amendments to the Plans later in 2016.

Following release of the discussion paper, the Province hosted a series of town hall meetings around the Golden Horseshoe to solicit input on the discussion paper and Plans. One of the meetings was held in St. Catharines on April 15, 2015, and was well attended by over 200 participants, including City planning staff.

The Province has set a deadline of May 27, 2015 for stakeholders to provide comment on phase one of the Review.

It is anticipated that the second round of the Review will commence in Winter 2015/16 with the release of proposed amendments to the various Plans.

This report provides an overview of the Provincial Plans, the impact they have on land use planning at the local level, and provides recommendations for certain components of the Provincial Plans to be evaluated through the review.

Report

Legislative Context

The Planning Act and the Provincial Policy Statement (PPS) legislates that local land use plans, the City's Official Plan (the Garden City Plan) and also the Region Official Plan, must be consistent with the Provincial Plans. Any changes by the Province to the boundaries defined in any of the Provincial Plans, resulting from this review process, essentially directs a similar change to the Regional Official Plan and the local Garden City Plan and zoning by-law.

Provincial Plans - Local Context and Impact

The Provincial Policy Statement sets out the policy direction and parameters for which all Provincial Plans, as well as local municipal plans, must be based. All three Provincial Plans have direct implications on what, where and how lands can be used. They establish specific direction and parameters on local municipalities for managing future housing, population and employment land needs and growth. They also establish specific direction for protection and management of agricultural lands and natural heritage.

All three Plans are intertwined, and one cannot be looked at in isolation of the others in addressing growth management. A general overview and context of the 3 Plans as they affect land use planning in St. Catharines is set out in Appendix 4 and summarized as follows:

Greenbelt Plan

The Greenbelt Plan (GB) was enacted in 2005 with the proviso that it be reviewed in 10 years, and as such, is part of the coordinated Plans review.

The GB governs all of the City's agricultural lands (Appendix 2). These lands comprise 2720 hectares of land, 30% of the municipal land base, and directly border the City's Urban Area to the west and east. The GB is directed towards the protection, preservation and use of lands for agriculture and natural heritage conservation.

The City's agricultural lands contain some of the best soils in Canada (mostly class 1 out of 7 classes, 1 being the best and 7 being the worst), and together with the unique micro-climate created by the Niagara Escarpment and Lake Ontario, are considered to be some of the best tender fruit growing and specialty crop lands in North America.

In recognition of this valuable resource, the GB designates all of the City's agricultural land as Specialty Crop Area, the highest designation for protection of agricultural lands afforded in the GB. As well, the Provincial Policy Statement (2014) recognizes this importance and directs the protection of Specialty Crop Areas in Ontario.

Specialty crop areas are defined in the Provincial Policy Statement and the Greenbelt Plan and include lands for tender fruit, grapes and other fruit crops, vegetable crops, greenhouse crops and crops from agriculturally developed organic soil, usually resulting from:

- a) Soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both;
- b) Farmers skilled in the production of specialty crops; and
- c) A long-term investment of capital in areas such as crops, drainage, infrastructure and related facilities and services to produce, store, or process specialty crops.

Within specialty crop areas, normal farm practices and a full range of agriculture, agriculturally related and secondary uses are permitted. Consistent with the Provincial Policy Statement (PPS), the GB does not permit urban uses or the redesignation of specialty crop lands in local Official Plans for non-agriculture uses. The GB plan boundary effectively locks in the Urban Area for the City. New housing and urban employment uses may only be accommodated within the Urban Area. The Greenbelt Plan specifically directs that Urban Areas not be permitted to expand into the Greenbelt (Section 3.4.2.3).

Niagara Escarpment Plan

The Niagara Escarpment Plan (NEP) was enacted in 1985 and reviewed in 1994 and 2005. The NEP is directed toward natural area conservation and the long term protection of the world biosphere Niagara Escarpment.

The NEC Plan area runs along the southern boundary of the City (Appendix 2), with a portion overlapping onto the City's designated Urban Area and urban and Agricultural Area. The lands within the Urban Area and agricultural area are in both the NEP and GB plan areas.

The portion of lands falling within the Urban Area fall under two NEP designations: 'Escarpment Natural Area' and 'Escarpment Urban Area'. The Escarpment Natural Area

designation affords the highest level of natural heritage protection, and restricts urban uses. The land within the Escarpment Urban Area are permitted urban type uses, and are subject to NEP Development Control, where the City's zoning by-law is only used as a guide, and development is subject to NEP regulations and a development permit from the Niagara Escarpment Commission. Most of the lands within the Urban Area designation are built out.

Places to Grow (P2G) Plan

Places to Grow (Growth Plan for the Greater Golden Horseshoe) (P2G) was enacted in 2006. This is the first comprehensive review of that Plan.

P2G designates the boundaries of the City's Urban Area (Appendix 2), and establishes policies and direction for the accommodation of growth.

The Urban Area comprises 7060 hectares of land, and makes up 70% of the City's land base. P2G promotes sustainable growth in the Urban Area. It sets out policies encouraging compact, land and service efficient development, infill and intensification, mixed use, and transit supportive intensification growth corridors and nodes.

To help achieve this, P2G establishes minimum housing and employment density targets on vacant lands that must be planned for in the local Official Plan (GCP). The minimum density target is 50 people and jobs per hectare.

For housing growth in St. Catharines, this equates to a need to support minimum densities of 20 dwelling units per hectare (8 units per acre) on vacant lands to accommodate 50 people. It represents a relatively small increase to housing density already established in some of the City's lower density neighbourhoods (17 units /ha; 7 units /acre). Other neighbourhoods already exceed the minimum density target of the P2G.

P2G also designates Downtown St. Catharines as an Urban Growth Centre, one of only 25 in the Golden Horseshoe, and the only one in the Niagara Region (Appendix 2). Urban Growth Centres (UGC) are designated to support the highest concentration and mix of transit supportive uses, and are intended to be catalyst areas for public and private investment and infrastructure.

As the only UGC in the Niagara Region, the Downtown has been recognized in P2G as a provincially significant node, and a primary node for the Region.

To support UGC objectives, P2G establishes a minimum density target of 150 people and jobs per hectare to be accommodated in the UGC by 2031. To achieve the minimum target would require an estimated 1100 new dwelling units, dependent on the extent of employment jobs that may also be generated.

Staff supports the directives of all three Provincial Plans.

The Greenbelt Plan affords greater mechanisms for the protection of agricultural lands. These lands represent some of the best specialty crop producing lands in North America, and are an integral component to providing and ensuring a sustainable environment, and community, not only on a local level, but also as a valued national resource.

The agricultural lands and community have long formed an integral part of the City's environment, heritage, culture and economy. They are an extremely valuable resource and amenity and are a critical component to a sustainable environment for future generations.

P2G enshrines the policies established in the Garden City Plan toward more compact land and service development and growth, something that is critically important to sustain valuable agricultural resources and grow the City's economy.

The Niagara Escarpment Plan provides for the protection of the Escarpment, and together with the agricultural lands, certainly has helped shape the identity and sense of place for St. Catharines.

Related Reports

2013 Regional Review of the Greenbelt Plan

In discussion with the other local area municipalities, a collaborative initiative was undertaken by the Region in 2013, in anticipation of the 2015 Provincial review of the Greenbelt Plan. The resulting report concluding the review is outlined in Appendix 3 - Niagara Region Greenbelt Plan Review - Summary Report, 2013. The report summarizes the comments received, and provides valuable insight into Niagara stakeholder interests, issues and concerns. This report helps to inform staff's response to the Provincial Review.

2015 Coordinated Regional Response

Planning staff from the local municipalities and the Region have participated to develop an appropriate and coordinated Regional response to the 2015 Coordinated Provincial Plan review.

The Provincial plans apply to all local municipalities to varying degree. St. Catharines is directly affected by all three, while others are only applicable to the P2G. Although they relate to local municipalities in different ways, the combined policy directives of the 3 Plans have direct impact on regional land use planning and growth management, and as such, affect all local municipalities.

A number of common themes were identified, as well as site and municipal specific issues. The coordinated Regional response provides a higher level overview and strategic recommendations for improvements to all of the Provincial Plans, and addresses a number of key points, as follows:

- local flexibility and interpretation;
- timing, process of review;

- potential Greenbelt and Niagara Escarpment mapping changes;
- creation of special policy areas;
- recognition of local characteristics and needs;
- better alignment of Provincial Plans;
- consistent language, mapping, tools and measureables;
- Provincial funding;

Staff support and endorse these strategic recommendations. Many of the same issues are also addressed in local staff analysis of the Provincial Plans set out in this report.

The Region's report outlining the coordinated response to the Province was considered by Planning and Development Committee on May 13, 2015 and subsequently considered by Regional Council. The report is attached as Appendix 5.

Land Needs Assessment

In response to the Provincial review, staff has completed a review of the GCP to address consistency with the Provincial plans. The review includes an update of the City's land needs. This assessment evaluates the City's housing, population and employment growth forecasts to the year 2031, and land supply, densities and capacity to support accommodation of projected growth. It is attached as Appendix 6. Council should be cautioned that the Region's current review of its official plan may have an impact on the City's current growth forecasts.

Planning Considerations

Staff have reviewed the Provincial Policy Plans under review by the Province, in conjunction with many joint discussions with Regional planning staff, Niagara Escarpment staff and have participated in the town hall meetings hosted by the Province. The following comments are offered for Council's consideration.

The Greenbelt Plan

It is important that Council understands that the Greenbelt Plan boundary *is* the Urban Area Boundary for the City. Any deletions from the Greenbelt Plan imply the addition of those lands to the Urban Area. However, Provincial policy dictates that expansions to the Urban Area be carefully considered against a number of criteria to ensure growth is managed responsibly and that prime agricultural land (specialty crop area) is protected from urban development.

The Greenbelt Plan is directed towards the protection of agricultural lands. Places to Grow is directed towards compact, transit supportive, land and service efficient development in Urban areas. The six goals set out in the province's Discussion Paper speak to strengthening the Greenbelt Plan and agricultural land protection, not reducing it. They also speak to strengthening the Places to Grow in support of more compact efficient development in urban areas to accommodate projected housing and employment growth.

It should be noted that the Region wants to enable prosperity by focusing on investment, innovation and entrepreneurship. Re-establishing a robust Regional Economy will require a different approach – one that better leverages Regional assets to make Niagara a more attractive and competitive place to live, work, visit, and invest. Key messages relate to the movement of people and goods and include enabling the development and expansion of transit and transit supportive infrastructure and development, including daily GO Train service to Niagara and further work on a Niagara Mobility Hub Study.

Urban Area Boundary expansion without substantiated reasons, is counter to both Provincial growth strategies, is not consistent with the focus of the Provincial Review as set out in the Discussion Paper, and may weaken consideration for public infrastructure and investment by the Province in support of transit supportive development initiatives, including the prospect of extending regular GO transit service to Niagara.

The potential expansion of the Urban Area cannot be looked at in piecemeal fashion. To properly plan for the expansion of the Urban Area a number of considerations need to be addressed including, but not limited to, in-depth technical evaluation and studies related to parcel fabric, servicing needs, infrastructure and capacity requirements, watershed and storm water management studies, natural heritage study, transportation demands, cost and financing studies, and design, development phasing and secondary planning exercises. The cost of these studies, dependent on the extent of area to be studied, is significant. This is in keeping with the Region's submission to the Province that "the boundaries of settlement areas in the Growth Plan and the extents of the Greenbelt Plan should be able to be amended at more regular intervals, after thorough review. Niagara Region is at a critical time of change. The Region is currently undertaking an Urban Visioning Strategy to redefine where and how we grow, a Municipal Comprehensive Review to further define the Strategy, Transportation and Water / Wastewater Master Plans to outline existing and future needs, and an analysis of Mobility Hubs to best determine and plan for the expansion of GO rail through Niagara Falls. The timeline to complete this work will extend beyond the time horizon of the Province's Coordinated Review Process. Therefore we ask that boundary changes to the Growth and Greenbelt Plans be permitted upon the completion of our Municipal Comprehensive Review."

For Council's understanding of the historical context of the Urban Area, the following background is provided for context. The Urban Area boundary was established in 1980 under the City's former Official Plan. The boundary splits the municipal land base 70/30 between the Urban Area and the Agriculture Area. (see Appendix 2)

In the 1970's, as part of the review exercise predating the original 1980 establishment of the Urban Area Boundary, it was recognized by the local, regional and provincial governments, that urban sprawl had taken place over hundreds of hectares of viable, nationally significant, prime agricultural lands, and the need to protect the remaining agricultural lands to ensure long term sustainability.

For the most part, the boundary dividing the urban area from agricultural lands is established along natural features and utility corridors to best define and support a defensible boundary. In certain instances, the boundary runs along roads to fill gaps between natural features and corridors. Where possible, roads are not used to define the boundary since they do not offer the same degree of certainty as natural features or utility corridors in establishing a defensible boundary. An Urban Area defined by roads creates a scenario where services are available on one side of the road (the Urban Area) and not on the opposite side of the road (Agricultural Area), and this situation is a very costly and inefficient approach to servicing.

As mentioned earlier in this report, as part of this review, staff completed a preliminary analysis of growth forecasts, land needs and capacities within the Urban Area to accommodate projected population, housing and employment growth. Based on this preliminary assessment, there does not appear to be a need to expand the Urban Boundary. However, the Region's initiation of a review of its official plan (Municipal Comprehensive Review) targeted for completion in 2016, may have implications on the relevancy and accuracy of the City's growth forecasts.

The six goals of the Provincial review paper "Our Region/Our Community/Our Home" (Appendix 1) speak to strengthening the GB and agricultural land protection, not reducing it. They also speak to strengthening P2G in support of more compact efficient development in Urban Areas to accommodate projected housing and employment growth.

Unless there is a documented and demonstrated need to do so, it is unlikely that the Province will amend Plans to support removal of lands from the GB, in favour of expansion to the Urban Area.

Documented and Demonstrated Need to Expand the Urban Area Boundary
Based on the direction and policies established in the Provincial Policy Statement (2014) and which is not under review, staff have developed a number of criteria to evaluate the need for an Urban Area Boundary expansion as follows:

- land needs and capacity in the Urban Area to accommodate projected housing , population and employment growth forecasts,
- availability of services, infrastructure and capacity;
- benefits and costs to the municipality;
- protection of resources;
- unique or impacting situations;
- compromised soils, climate;
- potential for alternative agricultural or agricultural related uses
- compromising a defensible boundary;
- impact to surrounding properties;
- the need for the use, availability of alternative sites;

- compliance and impact on local, regional and provincial growth management strategies (GCP, Regional Official Plan, P2G, GB, NEP) and related agency requirements;
- compliance with objectives of Plan policies and goals

In addition, the retrospect history of urban boundary expansion considers four basic tenants as follows:

- 1 The provision of adequate and appropriate urban lands to support the accommodation of housing, population and employment growth forecasts.

In response, staff have conducted a needs assessment to evaluate the accommodation of projected growth in the Urban Area. It addresses land needs, supply, and development capacities to accommodate projected population, housing and jobs.

The assessment is based on the current Garden City Official Plan land use policies and related growth forecasts. However, the ongoing Regional Municipal Comprehensive Review will evaluate forecasted growth for all local municipalities, population, housing and employment allocations to each municipality, and as such, the City will require a reassessment of land needs subject to the outcome of this review.

Additionally, a number of different metrics can be utilized to measure housing and employment forecasts, allocations, absorption and land needs. Consistency and accuracy in establishing metrics to evaluate growth capacities and needs has been raised as an issue to be addressed both through the Provincial Plans Review and the Region's Municipal Comprehensive Review. Until such time as uniform growth metrics are established with the Region, there may be discrepancies between the City's growth forecast and the Region's growth forecast. The municipal land needs assessment and assumptions presented in this report are current to evaluate growth and land needs. The assessment is set out in Appendix 6 and summarized as follows:

Projected Growth/Land Supply /Capacity

Today, the land supply and development capacities established in the GCP can accommodate projected housing need, population, and employment growth in the Urban Area to about 2031.

Population/ Housing

The City is expected to grow to a population of 143,800 persons by 2031, and requires 7190 new dwelling units to house the added population. The vacant residential land supply in the Urban Area is 169 hectares and based on zoning permissions and average dwelling occupancy, can accommodate between 5400 and 8420 new dwelling units, with a population of between 12,200 and

19,000 persons. A total of 3380 units is required to meet the P2G minimum density target of 50 people and jobs per hectare.

In addition, an estimated 3000 dwelling units can be created through designated intensification and redevelopment opportunities within the built environment. Together, the vacant land and intensification supply can accommodate 8,400 to 11,420 new dwelling units, and a population of between 17,600 and 24,400 persons. Both of these capacities are in excess of projected needs to 2031, based on present planning policies.

Employment Lands

The City is expected to grow 4190 new jobs by the year 2031, and has 95 hectares of vacant employment lands within the Urban Area. Based on the minimum target established in P2G (50 jobs per hectare), the vacant land supply can generate 4750 jobs, and exceeds the growth forecast.

Adding identified intensification and redevelopment opportunities within the built environment, the City has 135 hectares of developable employment lands, and may accommodate 6,750 jobs based on the provincial target.

Another measure of employment land capacity may be derived from analysis of historical employment land absorption in the City. Based on traditional land absorption rates, at 2.8 hectares (7 acres) a year, the City has sufficient vacant land supply of well over 30 years.

However, Council should be cautioned that one of the factors affecting the supply of employment land is the actual quality of the land for new businesses. Small lot sizes and brownfield sites are considered to be less desirable, and less easily marketed to prospective new employment generating businesses. As a result, one of the aspects of the Region's Municipal Comprehensive Review will be the need for a rigorous examination of the quality and marketability of employment land supply that essentially is "shovel ready". This analysis may impact the City's current findings regarding the capacity of the employment lands to accommodate future growth.

- 2 The need to protect and enhance agricultural lands and community for long term viability and sustainability. Agricultural lands comprise 2700 hectares of land, make up 30% of the municipal land base, and contain some of the best soils in Canada (Classes 1 to 3, out of 7). Together with a unique micro-climate created by the Escarpment and Lake Ontario, St. Catharines farmland is considered to be some of the best tender fruit and specialty crop producing lands in North America.

The GB recognizes this valuable regional, provincial and national resource, and designates all of the City's agricultural land as Specialty Crop Area which is defined as tender fruit and grape areas, together with a range of additional crops.

Specialty crop areas are the highest designation for protection of agricultural lands afforded in the GB.

The agricultural lands and community also have and form an integral part of the City's environment, heritage, culture and economy, and certainly contribute to the identity of the City, our sense of place, and a complete community.

- 3 Maintaining a reliable defensible boundary between the agricultural and urban area to support:
 - stability and opportunity for farming practices and related uses without undue negative urban influences; and
 - to best plan for efficient, effective location, cost, and wise use of service (hard and soft) infrastructure and capacities necessary to accommodate projected urban development.
- 4 Consistency with Provincial Plans and growth management strategies (P2G, GB, NEP) in support of public investment opportunities.

The Provincial Policy Statement (PPS), which was recently revised by the Province in 2014, is not part of the current Review. It sets out specific parameters for the development of other Provincial Plans, as well as local municipal plans. The PPS identifies settlement areas (urban areas) for the focus of urban growth, and specifically does not provide for the expansion of settlement areas, or non-agriculture uses on specialty crop lands.

Regional Official Plan Review (Municipal Comprehensive Review)

One of the most critical influences on the Greenbelt Plan boundary, and the City's Urban Area Boundary, is the upcoming Regional Official Plan Municipal Comprehensive Review. The Region's Municipal Comprehensive Review will confirm a Regional growth strategy for both jobs and population, which may impact the capability of the current Urban Area in St Catharines to accommodate future growth. The actual conclusions of that study will support or dispute the City's current forecast that the Urban Area is sufficient to support our growth projections. Any changes to the boundary of the Greenbelt Plan in St Catharines are premature until such time as the Region's Municipal Comprehensive Review is complete, and Regional implications on the City's existing Urban Area Boundary are confirmed. Other changes to policy within the Greenbelt Plan are appropriate, however staff recommend any additions or deletions of land to or from the Greenbelt Plan boundary be held in abeyance pending the completion of the Regional Official Plan, targeted for completion in 2016.

Lands Requested for Removal from the Greenbelt Plan and Added to the Urban Area

Through the Provincial Review process, the City has received 8 requests for property to be removed from the GB plan area and to be included within the urban area. The correspondence received is attached as Appendix 7 and the location of the lands is outlined in Appendix 8.

The properties are:

- Kowalik - 1406 Third Street Louth
- Wiens - 1258 Martindale Road
- Aita -1233 Fourth Avenue
- Vahrmeyer - 2488 First Street Louth
- Wang – 2316 First Street Louth
- Pawlik - 2614 First Street Louth
- Bakkers Nurseries - 15 Courtleigh Road
- Burtch – 349 St. Paul Street West

At this time, staff recommend that it is premature to support any of the requests for removal of lands from the GB, except the request for minor boundary adjustment at 349 St. Paul Street West.

There currently is little demonstrated or documented need, evaluation or substantiated evidence to identify that these properties warrant removal from the GB, or are not viable farm parcels, and cannot support other agricultural or related uses, such as greenhouses and farm related industrial /commercial uses. The staff review of each property is set out in Appendix 9.

On May 11, 2015, the Kowaliks requested Council to remove their lands from the Greenbelt and add them to the Urban Area. Council requested that this report address the matters raised during the presentation and those previously raised pertaining to this property. A chronology of planning matters related to the Kowalik property at 1406 Third Street Louth from 2009 to the present is attached as Appendix 10.

The staff position is also informed by the current results of the Land Needs Assessment. The current data indicates no demonstrated need to expand the Urban Area Boundary. The requests should be further evaluated in light of the Region's Municipal Comprehensive Review and its impact on the local level before any consideration is given.

All of the requests for expansion are adjacent to or in close proximity to the Urban Boundary, and would expand the boundary along roads, compromising the ability to maintain a defensible boundary. All of the properties require extension of water and sewer services to support urban development, and it is not known at this time whether existing capacity within the system is capable of supporting urban development on the properties. No demonstrated evidence has been provided to show that any of the properties are not viable farm parcels, could not support alternative agriculture or agriculturally related uses, or are significantly compromised to warrant exclusion from the GB plan area.

One of the most significant issues that has been raised during this review, thus far, is the question of whether St Catharines has enough developable land to encourage a robust economy and whether these requested lands should be removed from the Greenbelt and added to the Urban Area to help address this question. At this point, it has been determined that the city has a sufficient land base to support projected growth under existing planning policies. The issue of whether the lands in question are indeed Specialty Crop Area lands needs to be addressed. While the original Greenbelt process involved the identification of Specialty Crop Areas, it is understood that this analysis was based partly on prior work conducted by the Region, especially on soil studies in the late 1980's and on a 2003 study whereby the productivity of agricultural lands were ranked based on an analysis of climate, land suitability, physiography, and soil capability/suitability. While this work was comprehensive, it was not necessarily conducted on a micro level which analyzed individual parcels of land. As mentioned, Appendix 9 identifies that sufficient information has not accompanied the requests for removal of these lands from the Greenbelt. This detailed analysis should form part of part of the Region's Municipal Comprehensive Review.

However, after a micro-analysis and the determination that these lands are not part of the Specialty Crop Area, it does not automatically follow that they should be added to the Urban Area. Rather, these lands could be identified in the Greenbelt as prime agricultural lands or as part of the Rural Area. Later in this report staff recognize that lands along the periphery of the urban area require attention and policies that allow them to advance uses that currently are not permitted by the GB. At the conclusion of the Municipal Comprehensive Review, if it is determined that that the city requires additional lands to accommodate growth, a discussion of where this can be accommodated will need to occur. At this point, it is premature to assume should they should fulfill any identified need in the future.

At this time, the only property that staff considers to be an exception is the property at 349 St. Paul Street West. The owner requests a minor boundary adjustment to the GB plan area. The property is 0.8 hectares (1.9 acres) in size. A single detached dwelling is located on the east side of the property. The west side of the property is subject to an easement to accommodate hydro lines. This hydro easement forms the Urban Area Boundary. The east half of the property is in the Urban Area, and the west half is in the GB. The boundary adjustment won't generate any additional development opportunities

because the hydro lines prohibit such development. The boundary adjustment is minor, and it serves to better round out and define the GB and urban area boundary.

Greenbelt Plan Recommendations Unrelated to the Urban Area

There are a number of matters in the Greenbelt Plan, unrelated to the Urban Area Boundary issue, that warrant reconsideration by the Province. These matters have been raised routinely over the years and modifications as part of this review are now in order to better serve the agricultural community.

Although the GB protects the agricultural land base, stakeholders have expressed concerns that it does not always support or enhance the viability of the agriculture industry. Many of these concerns relate to financing incentives, marketing boards, the LCBO, production standards and regulations. Certain of these also translate into land use issues, and are addressed as follows:

Farm Parcel Size

The minimum 16 hectare (40 acre) farm parcel size established through the GB does not reflect the realities of farming in Niagara, where parcel sizes are generally much smaller. There are 850 properties in the Agricultural Area. The vast majority are less than 8 hectares (20 acres). A total of 50 properties exceed 8 hectares in size, with 25 over 16.8 hectares (40 acres) and only 8 over 32 hectares (80 acres).

The local soils and micro climate lends itself to supporting sustainable, viable farm operations on smaller properties. The nature of farming produce and practices on the tender fruit lands is different from elsewhere in the GB.

The minimum size requirement can serve as an impediment to support innovative farming, new operations, or expanded operations, providing little in leasing of lands to support other viable farm operations that may require smaller tracts of land, or subdividing to support new operations.

Staff Recommendation

That Council request the Province to review and address the GB minimum size requirement for farm parcels in Niagara, and establish criteria or special policy for appropriate viable farm parcel size based on a Niagara perspective.

Natural Heritage Protection

There are many natural areas and natural heritage features within the agricultural area, and the GB places significant emphasis on their protection and enhancement. It has been argued that the GB places greater emphasis on protection of natural heritage than agricultural lands and practices.

The GB establishes significant and rigid buffer area requirements from natural features and natural heritage, such as watercourses, aquifers, wetlands, valleylands and woodlots. In many instances, these constrain farm operations in locating out-

buildings, irrigation and drainage infrastructure, pest control, undertaking best management practices and farming viable lands within or adjacent to natural feature.

Approximately 65% of the City's agricultural lands are within the screening and regulatory area of the Niagara Peninsula Conservation Authority and impacted, to varying degree, by the natural heritage policies of the GB.

Farmers generally consider themselves the best stewards of the land, striving for a balanced and sustainable approach to farming operations and natural area preservation. Many farms rely on integration with natural area process and practices to support sustainable farm operations.

Staff Recommendation

That Council request the Province to review the GB natural heritage policies specifically with the intent to reduce buffer area requirements where practical, and providing greater flexibility in implementation and support for alternative measures to protect and integrate natural heritage with agricultural practices.

Natural Heritage Mapping

While recognizing that the Province and affected agencies are continually updating natural area and natural heritage mapping, the GB natural heritage mapping often is inconsistent with other provincial mapping or ground tested data, is mapped at a broad level, and should be revisited to ensure accuracy and consistency on a macro and micro basis.

Staff Recommendation

That Council request the Province to review natural area and heritage mapping to ensure consistent application and interpretation with other provincial and agency mapping, and based on ground tested evaluations where necessary.

Re-Purposing Uses

There are a number of non-agriculture uses within the agricultural area, including churches, schools, retail stores, gas stations, driving ranges and auto repair. Although not permitted as of right by the GB plan, these uses were in existence prior to the GB, and are essentially grandfathered. However, the GB does not allow for future rezoning or repurposing of these lands to permit other alternative and non-agricultural uses. When businesses close, this often results in buildings and land being abandoned, and properties lying idle and unproductive.

These properties have already been effectively subtracted from the agriculture land base, are not viable farm parcels, and repurposing of these lands for alternative compatible uses can only serve to benefit the agricultural area, and provide new uses and services to support the agricultural industry and community.

Staff Recommendation

That Council request the Province review the GB Plan policies for non-agricultural uses, and that criteria or special policy be established in support of re-purposing non-agricultural uses to permit alternative uses.

Summary Remarks Regarding Greenbelt Plan

The Greenbelt Plan is by far the most contentious of the Provincial Plans under review. In St Catharines, the debate over the preservation of agricultural lands and the perceived need to expand the Urban Area Boundary at the expense of agricultural lands, is a passionate and often heated discussion. Any decisions to expand the Urban Area and remove lands from the Greenbelt Plan, need to be supported by reliable documentation that demonstrates the following:

- 1 Up to date and reliable future growth forecasts that indicate that the current Urban Area cannot meet growth projections. The growth projections by staff at this point in time do not support an Urban Area Boundary expansion. However, the completion of the Region's Municipal Comprehensive Review, targeted for completion in 2016, may provide for a more informed forecast for the future growth.
- 2 If future growth projections demonstrate the Urban Area cannot accommodate forecasted growth, then valuable agriculture lands (specialty crop areas) not be compromised and only the least viable agricultural lands be considered for removal from the Greenbelt Plan and added to the Urban Area. A thorough and comprehensive Urban Area Boundary review by the City should be considered for 2016, after the Region's Municipal Comprehensive Review.

Places to Grow (P2G)

The P2G establishes a minimum density target of 50 people and jobs per hectare as a measurement to achieve transit supportive development thresholds.

This measurement is not well defined in P2G and may be interpreted and utilized in different ways from one municipality to the other.

Measuring the target to formulate minimum housing density requirements is contingent on identifying average people per dwelling unit ratios, which vary over time and from one housing type to another. It does not provide for consistent interpretation.

Estimating employment capacity based on the P2G density target is more problematic. Employment uses range greatly in number of employees and land needs, depending on the nature of the business. Some of the largest land expansive users, such as manufacturing and warehousing, may employ less people per hectare than other smaller and less land expansive uses, such as office and service

industrial uses. This is becoming even more relevant with the continuous advance of new technologies to enable efficiencies.

The application of the minimum density target provides a broad metric, but does not provide a suitable measuring tool to forecast more specific employment densities on individual sites. Staff recommends that the minimum density target as it applies to employment land densities be revisited.

Staff Recommendation

That Council request the Province to review the minimum density target measurements in P2G, especially as it applies to employment density, and to provide for a more concise and relevant metric to address forecasted employment needs and growth.

Niagara Escarpment Plan

The Niagara Escarpment Plan (NEP) area runs along the southern boundary of the City (Appendix 2), with a portion of the area overlapping into the City's Urban Area along the boundary, and also onto some agricultural lands within the GB Plan area.

The lands within the Urban Area along the southern boundary are within both the P2G plan area and the NEP area. The developable lands within this area are essentially built out, but are subject to NEP Development Control, where the City's zoning by-law is only used as a guide, and development is subject to a development permit from the Niagara Escarpment Commission.

Regulations established in the City's new Zoning By-law, adopted in 2013, align with the regulations and policies established within the NEP for urban type development within the control area. There is little need or justification to maintain Development Control on these lands, and which adds an unnecessary layer of review and approval of development applications, including minor building permit applications such as for sheds or garages.

Staff Recommendation

That Council request the Province to remove "Development Control" from the lands within the Urban Area of the City.

In the development of the City's new zoning by-law, Brock University raised concerns as to the appropriate boundary determination between the 'Escarpment Natural Area' and 'Escarpment Urban Area' designation on lands just below the Escarpment on Lockhart Drive. This boundary determination should be reviewed through the current Provincial Review and a definitive and defensible boundary established to address potential future use of the lands.

Staff Recommendation

That Council request the Province to review the NEP as it applies to the boundary of the 'Escarpment Natural Area' and 'Escarpment Urban Area' designation within the

City's Urban Area, and to evaluate and determine a permanent and defensible boundary between the two designations.

Part of the 'Escarpment Rural Area' designation in the NEP extends onto the City's agricultural lands and within the GB plan area on the lands below the Escarpment. In certain instances, some of the regulatory permissions for agricultural uses within the Escarpment Rural designation are incongruent with those of the GB, such as size restrictions on wineries within the NEP area that are more restrictive than elsewhere within the GB plan area. The NEP and GB should be reviewed for consistent application of regulations and policies on the agricultural lands falling within both plan areas.

Staff Recommendation

That Council request the Province to review the GB and NEP as it applies to consistent application of regulations and policies for uses that are permitted by both Plans where plan boundaries overlap.

Financial Implications

Not Applicable

Notification

Notice will be sent to all the property owners who have submitted requests for removal of lands from the Greenbelt Plan area and inclusion within the Urban Area.

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