

## **Staff Report 2023-0673**

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Meeting Date: November 21, 2023

Subject: Bill 150: Provincial Review of Minister's Decision on Peel Official Plan

Submitted By: Steve Burke, Manager, Strategic Policy Planning

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### **RECOMMENDATION**

That the recommendations as outlined in Report 2023-0673, and as shown on Schedule A, be endorsed, regarding Bill 150, the Planning Statute Law Amendment Act, and the Ministers decision on the approval of the Peel 2051 Official Plan;

That staff be directed to provide a copy of this report and attachments to the Minister of Municipal Affairs and Housing, for consideration by the Minister in the review and approval of the recently adopted Region of Peel Official Plan;

That the Minister of Municipal Affairs and Housing be requested to consider the recommendations contained in this report in their final decision on the Peel 2051 Official Plan, and that the Minister approve the additional modifications requested by the Town of Caledon as reflected in the Council endorsed Caledon Growth Concept; and

That a copy of Report 2022-0303 be provided to the Region of Peel, the City of Brampton, the City of Mississauga, and Sylvia Jones, MPP for Dufferin-Caledon.

### **REPORT HIGHLIGHTS**

- On April 28, 2022 the Region of Peel adopted the Peel 2051 Official Plan, concluding its municipal comprehensive review.
- On June 28, 2022, Caledon Council endorsed Caledon's Growth Concept, and requested the Minister of Municipal Affairs and Housing consider it in the approval of the Peel 2051 Official Plan.
- On November 4, 2022 the Minister issued a Decision approving the Peel 2051 Official Plan, with 44 modifications, including several which reflected Caledon's Growth Concept.
- On October 23, 2023 the Minister of Municipal Affairs announced he would be revisiting the approval of the Peel 2051 Official Plan, and requested municipalities submit any requested changes to the Minister by December 7, 2023.
- On November 16, 2023 Bill 150 was introduced, which if passed would reverse the Provincial decisions on 12 upper and single tier official plans, including the Region of Peel, with only limited technical modifications, but not several modifications requested by the Town in Caledon's Growth Concept.
- It is recommended that Council indicate support for reverting to the 2051 Peel Official Plan as adopted, where Provincial modifications were made not requested by the Town, but that the Minister be asked to approve modifications to the Peel 2051 Official Plan, contained in the November 4, 2022 Decision, where these modifications are consistent with Caledon's Growth Concept endorsed by Council on June 28, 2022 (see Schedule B to this report).

## **DISCUSSION**

On April 28, 2022, the Region of Peel adopted the Peel 2051 Official Plan containing a policy framework to guide growth in Peel to the 2051 planning horizon, concluding the municipal comprehensive review of its Official Plan.

On June 28, 2022 Caledon Council endorsed Caledon's Growth Concept through Report 2022-0303 (attached as Schedule B to this report). Through this report, the Minister of Municipal Affairs and Housing was requested to consider the report recommendations and modify the adopted Peel Official Plan to reflect Caledon's Growth Concept.

On November 4, 2022 the Minister of Municipal Affairs and Housing issued a Decision approving the Peel 2051 Official Plan, with 44 modifications. These modifications included mapping changes to the 2051 Urban Area of the Peel Official Plan, which in some respects, but not all, aligned with Caledon's Growth Concept. It also included modifications not requested or supported by the Town.

On October 23, 2023 the Minister of Municipal Affairs and Housing announced that legislation would be introduced to reverse the Minister's decisions on a number of upper-tier and single-tier official plans, including the Region of Peel Official Plan. The Minister advised that he would be asking impacted municipalities to submit any requested changes and updates to those official plans by December 7, 2023.

On November 2, 2023, the Minister of Municipal Affairs and Housing sent a letter asking the mayors of impacted single and lower-tier municipalities (i.e. Town of Caledon) to submit information about the modifications to the official plans that were originally submitted to the Ministry, including:

- Circumstances or projects where construction has already begun, based on the November 4, 2022 Minister's Decision;
- Changes that the municipality would like to see made to the official plan, based on the modifications that the Province had previously made, which the municipality supports. It was noted that lower-tier municipal feedback on the original upper-tier official plan submitted to the Province will be important in supporting the implementation of the upper-tier official plan.

The Minister noted that while he intended to introduce legislation before the end of the 45-day period, he would carefully consider all municipal feedback received by December 7, 2023 to determine the best approach for moving forward.

The Minister also indicated that the Province is interested in receiving information that outlines the related planning costs that may have been incurred by the municipality arising out of the Provincial decisions, recognizing that municipalities are already working to implement the decisions made over a year ago.

On November 16, 2023 the Minister introduced Bill 150, the Planning Statute Law Amendment Act, with a 30-day commenting period ending on December 16, 2023. If passed, Bill 150 will enact the Official Plan Adjustments Act which would reverse the Provincial decisions on 12 upper and single-tier official plans, including the Region of Peel Official Plan. This Act would approve the Region of Peel Official Plan as adopted by Regional Council in April 2022, making limited modifications the plans to address potential conflicts with legislation/regulations, outline transition rules, and introduce immunity to mitigate legal risk for both Official Plan reversals and revoking of Minister's Zoning Orders.

In Bill 150, only nine (9) of the 44 modifications contained in the Minister's Decision on the Peel Official Plan are proposed to be carried forward. No modifications to the boundary of the 2051 Urban Area, requested in Caledon's Growth Concept, are proposed to be carried forward. It should be noted that the Minister stressed that despite the draft legislation, he will carefully consider all municipal feedback received before December 7, 2023.

### **Caledon's position on the Minister's Modifications**

The 44 modifications to the Peel 2051 Official Plan made by the Minister in the Decision of November 4, 2023 are listed on Schedule A to this report, with a staff recommendation:

- For 17 of the proposed modifications, Town staff support deleting these modifications and reverting to the Peel adopted Official Plan;
- For 16 of the proposed modifications, Town staff support carrying these modifications forward;
- For 3 of the modifications, Town staff take no position as they are not applicable to the Town of Caledon; and,
- For the remaining 8 modifications, these are mapping modifications which are partially supported by Town staff, when they are consistent with Caledon's Growth Concept.

With respect to policies related to potential future settlement boundary expansion, Town staff support reverting to the Peel Official Plan as adopted, where it included policies allowing the Town to undertake studies to consider minor expansions to Caledon Village, Inglewood and Palgrave, and to consider an expansion of Sandhill for dry industrial employment uses.

### **Caledon's Growth Concept**

Through Report 2022-0303, dated June 21, 2022, Council endorsed Caledon's Growth Concept (attached as Schedule B to this report). This concept was based on the principle of "Caledon planning Caledon" and in most respects aligned with the urban boundary expansion reflected in the adopted Peel 2051 Official Plan, but with recommended

changes to better reflect Caledon's long term growth management and community planning objectives.

As shown on Schedule C, the Provincial Decision contained some changes to the 2051 Urban Area requested by the Town (TR1, TR2), and some changes not requested by the Town (NTR1, NTR2). The Town also requested several changes which were not made by the Province (NC1-NC7). Given this opportunity to provide comments to the Minister with respect to the approval of the Peel 2051 Official Plan, it is recommended that Council request that the Minister consider Caledon's Growth Concept, and in particular, carry forward the modifications to the Peel Official Plan that were previously requested by the Town and are consistent with Caledon's Growth Concept as endorsed by Town Council.

### **FINANCIAL IMPLICATIONS**

Any changes to the Provincial decision to approve the Peel 2051 Official Plan, with modifications, will necessitate revisions to the Town's Growth Management and Phasing Plan, resulting in additional costs to the Town. Staff are compiling a list of costs that could potentially be recoverable from the Province due to the decision to reverse the approval of the Region of Peel Official Plan.

### **COUNCIL WORK PLAN**

#### **Strategic Plan 2023-2035**

Community Vitality and Livability

### **ATTACHMENTS**

Schedule A: List of Modifications to the Peel 2051 Official Plan, with staff recommendation

Schedule B: Report 2022-0303 Future Caledon: Caledon's Growth Concept

Schedule C: Map of Caledon's Growth Concept showing Provincial modifications