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Date January 19, 2021 **Report No.** 2021-20

To Chair and Members
Committee of the Whole – Community Development

From Paul Moore
General Manager, Community Development

1.0 Type of Report

Consent Item ☐
Item For Consideration ☒

2.0 Topic **Deferred Amendments to the November 19, 2020 Motion Regarding the New City of Brantford Official Plan [Financial Impact – none]**

3.0 Recommendation

THAT the Deferred recommendation from the November 19, 2020 Special Committee of the Whole – Community Development meeting and the pending amendments to the deferred recommendation BE STRUCK and REPLACED with the following:

- A. THAT Report 2020-139, Envisioning Our City: 2051 – The New Official Plan for the City of Brantford, which includes the “Municipal Comprehensive Review – Final Addendum Report, November 2020”, prepared by SGL Planning and Design, attached as Appendix A to Report 2020-139, BE RECEIVED; and
- B. THAT Report 2021-20, Deferred Amendments to the November 19, 2020 Motion Regarding the New City of Brantford Official Plan BE RECEIVED; and

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- C. THAT Council ADOPT the new City of Brantford Official Plan – Envisioning Our City: 2051, attached as Appendix 2 to Report 2021-20, as amended to include the following;
 - i. A revision to Modified Policy Area 4 to specifically include museum uses and associated outdoor education and interpretive centres as permitted uses upon the Greenwich Mohawk Lands, as proposed in Section 9.1.1 of Report 2021-20; and
 - ii. A revision to Schedule 5: Downtown Urban Growth Centre, to designate Earl Haig Park as Parks and Public Open Space, as proposed in Section 9.1.2 of Report 2021-20; and
 - iii. An additional modified policy area encouraging redevelopment of the motel strip along Colborne Street East, as proposed in Section 9.1.3 of Report 2021-20; and
 - D. THAT the By-law to adopt the new City of Brantford Official Plan – Envisioning Our City: 2051, as amended BE PRESENTED to City Council for adoption in March 2021; and
 - E. THAT Planning Staff BE DIRECTED to submit the Council-adopted City of Brantford Official Plan – Envisioning Our City: 2051 to the Province of Ontario for final approval in accordance with Section 17(22) of the Planning Act; and
 - F. THAT in accordance with Section 26(7) of the Planning Act, Council DECLARES to the approval authority, being the Minister of Municipal Affairs and Housing, that the Council-adopted City of Brantford Official Plan – Envisioning Our City: 2051:
 - i. conforms with provincial plans or does not conflict with them, as the case may be,
 - ii. has regard to the matters of provincial interest listed in Section 2 of the Planning Act, and
 - iii. is consistent with policy statements issued under subsection 3(1) of the Planning Act; and
 - G. THAT the Comprehensive Block Plan Terms of Reference, attached as Appendix 3 to Report 2021-20, to guide and assess future Block Plan applications within the lands that are subject to block planning in the new City of Brantford Official Plan – Envisioning Our City: 2051, BE ENDORSED; and

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- H. THAT the Urban Design Manual, attached as Appendix 4 to Report 2021-20, to guide and assess future development proposals and applications in the City of Brantford, BE ENDORSED; and
 - I. THAT the Infrastructure Staging Report, attached as Appendix E to Report 2020-139, to guide the provision of infrastructure and services within the expansion lands, BE ENDORSED.

4.0 Executive Summary

The new City of Brantford Official Plan and supporting documents, including the Comprehensive Block Plan Terms of Reference, Urban Design Manual and Infrastructure Staging Report, were presented through Staff Report 2020-139 at the Special Committee of the Whole – Community Development (COW-CD) meeting held on November 19, 2020. The Committee deferred making a decision on the main motion to adopt the new Official Plan and endorse the supporting documents, to a future Special COW-CD meeting to be held on January 19, 2021. The deferral also included three pending amendments to the main motion that were raised during the meeting by Committee members.

This Report addresses the proposed amendments to the main motion and recommends the following revisions to the new Official Plan for Council's consideration:

1. A revision to Modified Policy Area 4 to specifically permit museum uses and associated outdoor education and interpretive centres upon the Greenwich Mohawk Lands;
2. A revision to Schedule 5: Downtown Urban Growth Centre to apply Parks and Public Open Space upon Earl Haig Park, consistent with other parks within the Downtown Urban Growth Centre; and,
3. The addition of a new Modified Policy Area to encourage redevelopment of the motel strip along Colborne Street East and promote the use of financial incentive programs that may be available through the future Greyfield Community Improvement Plan.

This Report also recommends that the By-law to adopt the new Official Plan be presented to Council and enacted in March 2021, rather than in January 2021. This change will provide better alignment between the Official Plan approval date and the completion of the Area Specific Development Charge study currently underway as part of the City's fiscal strategy to support development of

the Settlement Area Expansion Lands, including funding the City's share of the necessary infrastructure costs.

5.0 Purpose and Overview

The purpose of this Report is to present Planning Staff recommendations regarding potential changes to the new City of Brantford Official Plan that were proposed by members of Council at the Special Committee of the Whole – Community Development during the statutory public meeting held on November 19, 2020. It also recommends that the By-law to adopt the new Official Plan be enacted in March 2021.

6.0 Background

The new City of Brantford Official Plan and supporting documents, including the Comprehensive Block Plan Terms of Reference, Urban Design Manual and Infrastructure Staging Report, were presented through Staff Report 2020-139 at the Special Committee of the Whole – Community Development meeting on November 19, 2020. The Committee heard a Planning Staff presentation as well as public delegations in respect of the proposed Official Plan and supporting documents, and at the end of the meeting approved the following resolution:

“THAT Item 4.1, Envisioning Our City : 2051 – The New Official Plan for the City of Brantford [Financial Impact – none], 2020-139 inclusive of pending amendments BE DEFERRED to a special meeting of the Committee of the Whole – Community Development held on January 19, 2021, as a continuation of the Statutory Public Hearing.”

The following main motion was subject to the deferral, as per Special Community of the Whole – Community Development Report #2020-11-10:

“A. THAT Report 2020-139, Envisioning Our City: 2051 – The New Official Plan for the City of Brantford, which includes the “Municipal Comprehensive Review –

Final Addendum Report, November 2020”, prepared by SGL Planning and Design, attached as Appendix A, BE RECEIVED; and

B. THAT Council ADOPT the new City of Brantford Official Plan – Envisioning Our City: 2051, in January 2021; and

C. THAT the By-law to adopt the new City of Brantford Official Plan – Envisioning Our City: 2051 BE PRESENTED to City Council for adoption in January 2021; and

D. THAT Planning Staff BE DIRECTED to submit the Council-adopted City of Brantford Official Plan – Envisioning Our City: 2051 to the Province of Ontario for final approval in accordance with Section 17(22) of the Planning Act; and

E. THAT in accordance with Section 26(7) of the Planning Act, Council DECLARES to the approval authority, being the Minister of Municipal Affairs and Housing, that the Council-adopted City of Brantford Official Plan – Envisioning Our City: 2051:

i. conforms with provincial plans or does not conflict with them, as the case may be,

ii. has regard to the matters of provincial interest listed in Section 2 of the Planning Act, and

iii. is consistent with policy statements issued under subsection 3(1) of the Planning Act; and

F. THAT the Comprehensive Block Plan Terms of Reference, attached as Appendix C to Report 2020-139, to guide and assess future Block Plan applications within the lands that are subject to block planning in the new City of Brantford Official Plan – Envisioning Our City: 2051, BE ENDORSED; and

G. THAT the Urban Design Manual, attached as Appendix D to Report 2020-139, to guide and assess future development proposals and applications in the City of Brantford, BE ENDORSED; and

H. THAT the Infrastructure Staging Report, attached as Appendix E to Report 2020-139, to guide the provision of infrastructure and services within the expansion lands, BE ENDORSED.”

The three pending amendments to the main motion are discussed in Section 9.1 of this Report.

7.0 Corporate Policy Context

Completing the Official Plan is a Tier 1 Priority in the 2021-2022 Council Priorities document.

8.0 Input From Other Sources

Planning Staff are involved in discussions with the Finance Department and Public Works Staff regarding the fiscal strategy for funding the City’s share of

infrastructure costs in the Settlement Area Expansion Lands, including the Development Charges Update Study and Area Specific Development Charge, and the timing in relation to the anticipated approval date for the new Official Plan.

9.0 Analysis

9.1 Pending Deferred Amendments

The three pending amendments to the main motion deferred to the January 21, 2021 continuation of the statutory public hearing, as listed in the Special Community of the Whole – Community Development Report #2020-11-10, are discussed below:

9.1.1 Amendment 1:

“A. THAT Staff BE DIRECTED to include the Museum Use to the Mohawk Greenwich Lands and to apply a modified policy to permit the museums within the Greenwich Mohawk Lands; and

B. THAT a Zoning By-law amendment PROCEED in the future.”

Staff Response:

The Greenwich Mohawk Lands are situated within the Mohawk Lake District Plan area, which is already identified in the draft Official Plan as *Modified Policy Area 4 – Mohawk Lake/Greenwich Mohawk District Area*. Council approved the final Mohawk Lake District Plan in November 2020, and provided the following direction to Planning Staff, as per Report 2020-345:

- to proceed with an Application to Amend the Official Plan to establish the overall land use policy framework to implement the Mohawk Lake District Plan; and
- to proceed with an Application to Amend Zoning By-law 160-90 to permit museum uses and an associated outdoor education and interpretive centre.

Planning Staff recommend that Modified Policy Area 4 in the draft Official Plan be revised to specifically permit museum uses and associated outdoor education and interpretive centres in the new Official Plan, as proposed below:

“Area 4 – Mohawk Lake/Greenwich Mohawk Lake District Area

Development within the Mohawk Lake District Plan Area, identified as Area 4 on Schedule 10, shall be subject to the Mohawk Lake District Plan. The District Plan will facilitate the comprehensive redevelopment of properties within the District, including the Mohawk Greenwich site and surrounding area, as well as the enhancement of Mohawk Lake and Park. A mix of uses including residential, institutional, commercial, recreational, and clean employment uses, parks and open space may be permitted by the District Plan. Until such time as the detailed District Plan is implemented through an Official Plan amendment, development of sites within Area 4 shall be consistent with the policies of the underlying land use designations identified on Schedule 3 of this Plan. Museum uses and associated outdoor education and interpretive centres shall be permitted without further amendment to this Plan.”

A City-initiated Zoning By-law amendment application to permit the museum uses and associated outdoor education and interpretive centre will commence after Council adopts the new Official Plan. The Zoning By-law amendment can only be considered by Council following Provincial approval of the new Official Plan, anticipated in Q2 2021.

9.1.2 Amendment 2:

“A. THAT Staff BE DIRECTED to remove Earl Haig from the Urban Growth Centre; and

B. THAT Staff BE DIRECTED to move the designation of Earl Haig back to Parks and Public Open Space.”

Staff Response:

Earl Haig Park is a city-owned property located within the existing Downtown Urban Growth Centre (UGC). It is presently identified with a Community Park and Open Space (CP) symbol on Schedule 1-1: Land Use Plan in the current Official Plan. In the draft Official Plan, Schedule 5: Downtown Urban Growth Centre applies the Lower Downtown Precinct policies to Earl Haig Park. Other parks within the UGC are identified as Parks and Public Open Space on Schedule 5. The Lower Downtown

Precinct was applied to recognize the property's long term redevelopment potential, as well as the current F-C1-11 zoning: Core Commercial Zone with special provisions that also permit all Open Space Type 1 (OS1) Zone uses in addition to a wide range of commercial and residential uses.

The UGC is identified as a Strategic Growth Area and is subject to a density target of 150 residents and jobs combined per hectare by 2031, as required by the Growth Plan for the Greater Golden Horseshoe. However, it should be noted that not all of the land within the UGC will be developed to contribute to the density target. More specifically, the UGC policies in the draft Official Plan recognize that the area is also "to include a hierarchy of urban park spaces in accordance with the Parks and Recreation Master Plan and including linkages to the Grand River, Mohawk Lake and Canal, and the City's multi-purpose pathway and trail network." Planning Staff therefore recommend that Earl Haig Park not be removed from the Downtown Urban Growth Centre.

Planning Staff support revising Schedule 5: Downtown Urban Growth Centre to apply Parks and Public Open Space upon Earl Haig Park instead of the Lower Downtown Precinct. This change would treat the property more consistently with other parks within the Downtown Urban Growth Centre, such as Victoria Square and Brant's Crossing. Furthermore, none of housing units allocated to the UGC in the Official Plan background analyses (i.e. *Envisioning Brantford – Municipal Comprehensive Review – Part 1: Employment Strategy, Intensification Strategy, Housing Strategy and Draft Land Needs*), were presumed to be located upon the property in advance of a Council decision on the future of Earl Haig Park. Planning staff also met with the Councillors who raised this concern at the statutory public meeting and they were agreeable to the proposed revisions.

9.1.3 Amendment 3:

"A. THAT Staff BE DIRECTED to establish another modified policy area from Colborne Street East from the Wayne Gretzky Parkway to the City Limits to encourage the relocation of motels of that area."

Staff Response:

Colborne Street East was the primary gateway to Brantford from the east prior to the opening of Highway 403. The shift in travel patterns has left behind many motels and other auto-oriented uses alongside mature

residential neighbourhoods. Various properties along the corridor have become tired-looking, underutilized or vacant, exhibit poor property standards, and provide longer term rental accommodations for which they were not suitably designed.

Colborne Street East has been identified as a Target Area in the new, proposed Greyfields Community Improvement Plan (CIP). Planning Staff will present the Greyfield CIP for Council's consideration and approval in early 2021. The Greyfields CIP is intended to facilitate improvements to greyfields within the City's Built-up Area, and more specifically within the individual Target Greyfield Revitalization Areas. The primary goal of the draft Greyfields CIP is "to facilitate the improvement and revitalization of existing commercial greyfield properties or their transformation into intensification-corridor appropriate, mixed use developments."

To provide further support to the redevelopment of Colborne Street East and the promotion of the Greyfields CIP, the following modified policy area is proposed to be included in the new Official Plan:

"Area 25 – Colborne Street East

This Plan recognizes the market dynamics and travel patterns that in the past supported the motel strip along Colborne Street East have changed. To facilitate regeneration and neighbourhood revitalization in this area, the existing motels and other auto-oriented uses on lands identified as Area 24 on Schedule 10 are encouraged to redevelop with new mixed use buildings as permitted in the Intensification Corridor Designation, utilizing financial incentive programs that may be available through a Community Improvement Plan where eligibility requirements are met."

If Modified Policy Area 25, as proposed above, is included in the new Official Plan, Schedule 10: Modified Policy Areas would also be revised to identify the applicable lands. A map of the proposed Modified Policy Area 25 is provided in **Appendix 5** to this Report. Planning Staff recommend that Area 25 align with the Colborne Street East Gateway Target Greyfield Revitalization Area as delineated in the draft Greyfields CIP.

This approach, combined with municipal by-law enforcement when and where necessary, may be a more effective way to encourage property improvements than prohibiting motels in the new Official Plan and future

Zoning By-law. While Official Plan land use policy and the Zoning By-law can establish which land uses are permitted or not permitted upon specific lands, it should be noted that existing uses that were legally established in the past may continue to operate as legal non-conforming uses when changes are made to the Official Plan or Zoning By-law that would otherwise prohibit them. Planning staff also met with the Councillors that raised this concern at the statutory public meeting and they were agreeable to the proposed Modified Policy Area 25.

9.2 Next Steps toward Official Plan Approval

Once Council has made a decision to adopt the new Official Plan, an implementing By-law is required. This Report recommends that the By-law to adopt the new Official Plan be presented to Council and enacted in March 2021, instead of January 2021 as was recommended in clauses C and D of the deferred main motion. This change will provide better alignment between the Official Plan approval date and the completion of the Area Specific Development Charge study currently underway as part of the City's fiscal strategy to support development of the Settlement Area Expansion Lands, including funding the City's share of the necessary infrastructure costs. Once the By-law to adopt the Official Plan is presented to Council for signing at its March meeting, the City will then have 15 days to submit the Official Plan to the Province for final approval. While the Province is considering their decision over a 120 day period, it is anticipated the Area Specific Development Charge By-law would come before Council for approval in April, and have an effective date that is the same as the date of the Minister's approval of the Official Plan.

10.0 Financial Implications

There are no direct financial implications associated with the specific recommendations of this Report regarding changes to the Official Plan. The revised timing for Council's adoption of the new Official Plan is recommended to align its subsequent approval with the City's fiscal strategy for funding the City's share of infrastructure costs in the Settlement Area Expansion Lands.

11.0 Conclusion

This Report addresses the pending amendments to the main motion regarding the new City of Brantford Official Plan and supporting documents, to facilitate discussion on these matters at the January 19, 2021 Special Committee of the Whole – Community Development meeting to which they have been deferred.

The final approval of the new Official Plan will be a major milestone in the planning process to support future growth in the City. It is recommended that Council adopt the new Official Plan in March 2021 to better align final approval by the Province with the City's fiscal strategy for servicing the Settlement Area Expansion Lands, and ensure the necessary funding tools are in place when new growth gets underway.

Lastly, given that the proposed amendments have now been addressed in this Report, Staff recommends that the original main motion and pending amendments, be struck in its entirety, and replaced with the recommendation of this Report to provide for one complete resolution approving the new Official Plan.



Paul Moore, MCIP, RPP
General Manager, Community Development

Prepared By:

Alan Waterfield, MCIP, RPP
Senior Planner, Long Range Planning

Attachments

Appendix 1: Report 2020-139, Envisioning Our City: 2051 – The New Official Plan for the City of Brantford

Appendix 2: City of Brantford Official Plan – Envisioning Our City: 2051

Appendix 3: Comprehensive Block Plan Terms of Reference

Appendix 4: Urban Design Manual

Appendix 5: Map of Proposed Modified Policy Area 25

In adopting this report, is a by-law or agreement required? If so, it should be referenced in the recommendation section.

By-law required	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no
Agreement(s) or other documents to be signed by Mayor and/or City Clerk	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no
Is the necessary by-law or agreement being sent concurrently to Council?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no