Regional Municipality of Waterloo
Planning and Works Committee
Minutes

Tuesday, October 4, 2016
12:20 p.m.
Regional Council Chamber
150 Frederick Street, Kitchener


Members absent: B. Vrbanovic

Declarations of Pecuniary Interest Under The Municipal Conflict Of Interest Act
None declared.

Request to Remove Items From Consent Agenda
No items were removed from the Consent Agenda.

Motion To Approve Items Or Receive for Information
Moved by H. Jowett
Seconded by K. Redman

That the following items be received for information:

- Kitchener Wastewater Treatment Plant Cogeneration Facility Renewable Energy Approval Public Consultation Centre #1
- Waterloo Wastewater Treatment Plant Cogeneration Facility Renewable Energy Approval Public Consultation Centre #1

- Galt Wastewater Treatment Plant Cogeneration Facility Renewable Energy Approval Public Consultation Centre #1

- PDL-CPL-16-43, Status Report on Community Climate Adaptation


    Carried

**Regular Agenda Resumes**

**Reports – Transportation and Environmental Services**

**Design and Construction**

a) TES-DCS-16-16, Consultant Selection – Detailed Design, Inspection and Contract Administration Services for Fairway Road North Widening, Lackner Boulevard to Pebble Creek Drive/Upper Mercer Street, City of Kitchener

A Committee member asked if all of Fairview Road will be 4 lanes all the way. Steve van De Keere, Director, Transportation noted that a small section east of Lackner Road will still be 2 lanes and that will be addressed in the Transportation Master Plan.

Moved by J. Mitchell

Seconded by J. Nowak

That the Regional Municipality of Waterloo enter into a Consulting Services Agreement with MTE Consultants Inc. to provide engineering consulting services for the detailed design, inspection and contract administration services associated with the Fairway Road North Widening from Lackner Boulevard to Pebble Creek Drive/Upper Mercer Street at an upset fee limit of $307,900 plus applicable taxes for the design phase, with construction inspection and contract administration services to be paid on a time basis in an estimated amount of $246,900, as described in report TES-DCS-16-16, dated October 4, 2016.

Also, that the Regional Municipality of Waterloo grant pre-budget approval of $50,000 in 2016 in order to allow design work to commence in 2016.

    Carried
Transit Services

b) COR-FSD-16-24/TES-TRS-16-21, Public Transit Infrastructure Fund – Phase One

Moved by L. Armstrong
Seconded by K. Kiefer

1. That the Region of Waterloo approve the list of projects to be funded by the Public Transit Infrastructure Fund – Phase One as set out in Attachment ‘A’ to Report COR-FSD-16-24/TES-TRS-16-21 dated October 4, 2016; and

2. That staff be directed to prepare the 2017-2026 Grand River Transit Capital Plan in accordance with Recommendation 1.

Carried


c) TES-TRS-16-16, Transit Safety, Security and Fare Enforcement

In response to Committee inquiry about the need for increased transit security Eric Gillespie, Director, Transit Service stated that with the new proof of payment fare program and increased ridership the need for greater security will be required.

Moved by K. Seiling
Seconded by S. Foxton

That the Regional Municipality of Waterloo approve the proposed strategy for transit safety, security and fare enforcement as outlined in Report TES-TRS-16-16 dated October 4, 2016;

And that the Regional Municipality of Waterloo approve a two year temporary contract position starting in 2017 related to the implementation of the proposed strategy.

Carried

Water Services

d) COR-FSD-16-23/TES-WAS-16-21, Clean Water and Wastewater Fund

Moved by S. Strickland
Seconded by D. Jaworsky

1. That the Region of Waterloo approve the list of projects to be funded by the Clean Water and Wastewater Fund as set out in Attachment ‘A’ to report COR-FSD-16-23/TES-WAS-16-21 dated October 4, 2016; and
2. That staff be directed to prepare the 2017-2026 Water and Wastewater Capital Plan in accordance with Recommendation 1.

Carried

**Transportation**

e) TES--TRP-16-20, Lane Designation Changes - King Street (Regional Road 8) at Tu Lane Street, City of Kitchener

A Committee member asked if the new Costco opening in Waterloo will help with the traffic on Tu-Lane Street. S. van De Keere stated that the need for the two lane left turn will still be warranted.

Moved by S. Foxton

Seconded by K. Redman

That the Regional Municipality of Waterloo amend Traffic and Parking By-Law 06-072, as amended, to add Schedule 16 – Lane Designation, westbound left-turn, left/right-turn lane on Tu Lane Street at King Street (Regional Road 8) in the City of Kitchener, as outlined in Report TES-TRP-16-20, dated October 4, 2016.

Carried

f) TES-WAS-16-20, Update on East Side Lands Wastewater Servicing Environmental Assessment

Received for information.

**Reports – Planning, Development and Legislative Services**

**Community Planning**

g) PDL-CPL-16-41, Co-ordinated Land Use Planning Review – The Proposed Growth Plan for the Greater Golden Horseshoe and The Proposed Greenbelt Plan

Debra Arnold, Acting Commissioner, Planning, Development and Legislative Services introduced the report.

Alyssa Bridge, Principal Planner, provided a presentation that is appended to the original minutes. She highlighted the Proposed Growth Plan, Key Recommendations, Provincial Commitments, Implementation, Proposed Greenbelt Plan and Next Steps.
Delegation

Kevin Thomason appeared before Committee on behalf of Grand River Environmental Network. He highlighted that a number of communities and environmental groups have worked together to ensure remaining green spaces, farmland, and source water areas are better protected. He thanked the Region for their efforts in leading the way through innovation such as Environmentally Sensitive Landscapes, the protected countryside, core area renewal and rapid transit. He noted the issues and questions raised are valid and the Province needs to address them accordingly. He commended staff for working with the area municipalities to coordinate the feedback to the Province as it sends a strong message when they are hearing similar issues from multiple jurisdictions. He stated the expansion of the Greenbelt to the Region will provide another layer of protection.

Chair T. Galloway thanked staff for a comprehensive report and acknowledged a letter sent in from Kate Daley on behalf of Smart Growth Waterloo Region.

Committee members discussed the protection that the Region currently has is stronger than what the Province is proposing and the Region’s position is to have the highest level of protection.

A Committee member asked if the 80 persons and jobs per hectare is an unreasonable number. Michelle Sergi, Director, Community Planning stated that staff are not questioning the number but how it applies within the already developed Designated Greenfield Areas.

A. Bridge provided clarification on the Municipal Comprehensive Review.

Moved by K. Seiling

Seconded by L. Armstrong


Carried

Information/Correspondence

a) Council Enquiries and Requests for Information was received for information.
Next Meeting – November 1, 2016

Adjourn

Moved by K. Kiefer
Seconded by K. Redman
That the meeting adjourn at 12:57p.m.

Carried

Committee Chair, T. Galloway

Committee Clerk, E. Flewwelling
Co-ordinated Land Use Planning Review

Proposed Growth Plan for the Greater Golden Horseshoe and Proposed Greenbelt Plan

October 4, 2016
Proposed Growth Plan

- Growth Plan originally came into effect on June 16, 2006
- Applies to 21 municipalities across the Greater Golden Horseshoe, including the entirety of the Region of Waterloo
- Aims to revitalize downtowns, curb sprawl, create complete communities and improve access to transportation choice
Key Recommendations

• Designated Greenfield Area target increasing from 50 p&j/h to 80 p&j/ha

• Intensification Rate for the Built-Up Area increasing from 40% to 60%

• New Density Targets for Major Transit Station Areas
  • 160 p&j/ha for LRT or BRT
  • 150 p&j/ha for GO Transit
Key Recommendations

• Employment Lands
  – Commercial Uses/Major Retail
  – Municipal Comprehensive Review

• Excess Lands

• The Natural Heritage System/Mineral Aggregate Resources

• Population and Employment Forecasts

• Source Water Protection
Provincial Commitments

• Standard Lands Needs Assessment Methodology

• Mapping of the Natural Heritage System

• Mapping of the Agricultural System
Implementation

• Planning decisions made after the Plan comes into effect must conform to the policies of the Plan

• Transition Policies for Area Municipal Official Plans

• Municipal Official Plan must be brought into conformity with the new Plan within 5 years
Proposed Greenbelt Plan

• Greenbelt Plan originally came into effect on February 28, 2005

• Applies to nearly two million acres surrounding the Greater Golden Horseshoe

• Identifies areas where urbanization should not occur and permanent protection of agricultural and natural heritage lands
Proposed Greenbelt Plan

- Staff are recommending several areas where the policies of the Plan could be strengthened, including:
  - Residential severances in Prime Agricultural and Rural Areas
  - Mineral aggregate resource extraction in ESPAs
  - Uses permitted within the Natural Heritage System
  - Alternative municipal approaches to assessing the impact of development on natural heritage features
  - Providing protection for municipal drinking-water supplies
Next Steps

- The Province is receiving comments and feedback on the Proposed Plans until October 31, 2016

- The new, revised Plans are anticipated to be in effect in late 2016 or early 2017

- Provincial Growing the Greenbelt Initiative is currently underway
  - Await the results of the Coordinated Land Use Planning Review
  - Assess the policy risks and benefits to Greenbelt expansion
  - Consider appropriate lands for inclusion
  - Report to Council with recommendations
Monday October 3, 2016

RE: Report PDL-CPL-16-41

Dear Members of Council,

We are writing with respect to staff report PDL-CPL-16-41, regarding the Co-ordinated Land Use Planning Review and the province’s proposed revisions to the Growth Plan and the Greenbelt Plan.

We wish to commend Ms. Sergi and Ms. Bridge, and all other staff who contributed to the production of this report, for their thorough and thoughtful analysis. While there are many important recommendations and observations in the report, we wish to highlight our support for three particular aspects at this time.

First, the report provides a detailed list of the features of the new Natural Heritage System and the Greenbelt that offer lands within them less protection than the Region’s current planning policies.

We are pleased by recommendations that the province should consider adopting aspects of the Region’s source water protection and agricultural severance policies in the Growth Plan or Greenbelt. We agree that extending such protections through the provincial Greenbelt Plan, in particular, will discourage lengthy fights at the Ontario Municipal Board, with which our area regrettably already has far too much experience.

It would also allow many other communities, some of which have not had the benefit of the Region’s decades of commitment to agricultural and environmental protections, to benefit from the Region’s experience and leadership. We are happy to see the Region once again take steps to push the envelope for smart growth planning in Ontario, while leading by example.

Second, we agree strongly that higher local protections must not be superseded by the Growth Plan or Greenbelt, particularly with respect to aggregate mining. As the report notes, on most policy items in the Greenbelt, the stronger of local or provincial protections will apply, and thus the Region’s protections would remain. However, any weakening of local protections are unacceptable outcomes of provincial revisions to the plans.

As we highlighted in Smart Growth Waterloo Region’s recent submission to the land use planning review (attached for your reference as an appendix), existing protections from aggregate mining and for
agriculture must not be weakened by the Greenbelt or Growth Plan legislation. The strongest protections must prevail.

Third, we are pleased that the report shows detailed consideration for how higher density and intensification requirements would actually be met in practice in Waterloo Region. We believe that the province needs specific feedback like this from municipalities, in order to ensure that the minimums enshrined in the plans can actually be implemented by municipalities.

The Region has shown, in the first decade of the plans, that implementing smart growth is possible. The insights included in this report should help the province to ensure that its future stronger requirements can be met in municipalities across Ontario, and can therefore be enforced by the province in the decades to come.

Once again, we thank staff for their detailed work on this process as the provincial review moves forward.

Sincerely,

Mike Boos, Kate Daley, and Kevin Thomason

Co-founders, Smart Growth Waterloo Region
Thursday September 1, 2016

RE: Feedback on proposed amendments to the plans

Dear Minister Mauro,

We are pleased to offer our comments on the proposed amendments to the Greenbelt and Growth Plans your government released on May 10, 2016. In general, we are pleased to see a number of changes that should help other communities to follow the Region of Waterloo’s example in promoting intensification and higher densities for more livable urban areas, and coordinating land use planning with transit planning.

Given the problems the Region of Waterloo faced defending its official plan at the Ontario Municipal Board, we are pleased to see an attempt to address the confusion over language in 2.2.7.2 of the Growth Plan. The addition of “within the horizon of this Plan” should help to clarify that the density requirements in Designated Greenfield Areas must actually be achieved within the planning horizon. We would ask that additional clarification be added to the plan to state as clearly and directly as possible that greenfield densities must be planned to actually be achieved by 2041, not simply planned by 2041 for achievement at a later date or not at all.

Based on our experiences in Waterloo Region, we particularly wish to applaud the province’s proposals to increase the minimum intensification rates for urban areas. Since the year following the Region’s approval of its most recent official plan, development within the built up area has consistently exceeded both the 40% provincial minimum and the Region’s higher target of 45%, with a five year annual average of 54% (from 2010 to 2015). More significant intensification rates are clearly attainable, and in many cases being attained. It is time to set the bar for intensification higher.

We are also pleased to see attention given to the issue of over-designation of lands for development, particularly in the outer ring municipalities. New provisions to allow for de-designation of excess lands, and to allow municipalities to reduce total lands for development while providing for new Designated Greenfield Areas in more appropriate places, are welcome.

There are four specific items upon which we wish to offer more detailed comment at this time:

1) Waterloo Region must be included in an expanded Greenbelt as soon as possible. The Region of Waterloo repeatedly requested inclusion in the Greenbelt a decade ago, when the visionary system of the Growth Plan and Greenbelt was created. These plans were designed to work together to show
where growth should go and where growth cannot go. Since Waterloo Region was left out of the Greenbelt, these provincial plans have only been partially implemented in Waterloo Region.

After the region’s exclusion from the Greenbelt, the Region of Waterloo’s elected officials and staff have shown great leadership in designing and implementing local rules to provide permanent, Greenbelt-style protection to our sensitive environmental features and farmland in our rural areas, and particularly to our sensitive water resources. After years of uncertainty and conflict due to an inappropriate decision of the Ontario Municipal Board, the Region’s 2015 negotiated settlement means our Regional Official Plan is finally in effect, and our local Protected Countryside is a reality. This is a testament to the dedication of staff and elected officials at the Region and community members across our seven area municipalities.

Because of this leadership, all of the important groundwork has been done. Due to last year’s negotiated settlement, there is considerable consensus within the region about the current Regional Official Plan and the lands that it protects.

While our local protections are impressive, they are not enough. Municipal plans do not have the permanence that the Greenbelt brings. To ensure that these local protections are made permanent, as our local plans intend, Waterloo Region must be included in the Greenbelt.

2) Amendments to the plans must ensure that no existing local protections will be weakened by an area’s inclusion in the Greenbelt. Greenbelt expansion in the outer ring municipalities is crucial to prevent leapfrogging, and to protect agriculture and environmentally sensitive landscapes as growth continues in Ontario.

While the existing and proposed Greenbelt Plan states that regulations and standards that are more restrictive than the Greenbelt Plan will prevail, there are concerns that this may not fully be the case on a small number of crucial issues relating to agriculture or aggregates.

Particularly, we are hearing some potential concerns about the aggregate provisions in the Greenbelt. Any provisions of the Greenbelt Plan that are more permissive on aggregate mining must not be allowed to override any potentially higher local protections that are approved by the province. Of course, the province would still maintain control over aggregates though all of the same tools at its disposal now, including official plan approvals. But municipalities should not be excluded from any opportunities to influence aggregate decisions in their communities that are afforded to other municipalities, simply due to their inclusion in the Greenbelt. Any higher protections approved by the province must be allowed to prevail.

In order for Greenbelt expansion to be successful and embraced by local communities, those communities must be assured that no local successes in implementing smart growth and related environmental and agricultural protections will be lost through inclusion in the Greenbelt. This stage in the review is the right time to ensure that there are no oversights in this regard, and to make absolutely certain that future Greenbelt expansion will not be hindered by fears of forced lower standards.
3) The creation of natural heritage systems must not supplant Greenbelt expansion. We are encouraged by the proposal for natural heritage systems outside the Greenbelt, which if appropriately implemented would increase public oversight over development and site alteration across large parts of the Greater Golden Horseshoe, creating stronger landscape level protections in many areas.

However, the creation of natural heritage systems must not be seen as a watered-down alternative to Greenbelt expansion. The explanatory text under 4.2 of the Growth Plan indicates that there are proposed “new policies to incorporate Greenbelt level protections for ‘natural heritage systems’, ‘key natural heritage features’, ‘key hydrologic features’ and ‘key hydrologic areas’ outside ‘settlement areas’, while allowing some flexibility in order to accommodate growth.” There are areas where such future flexibility is warranted. There are other areas where it is certainty that is required, and where it must be clear to all parties that growth will never be accommodated. The former are suited to natural heritage system protection under the Growth Plan; the latter need the Greenbelt.

The province must take this opportunity to expand the Greenbelt where such expansion is warranted, and to use natural heritage systems outside the Greenbelt only where permanent protection from development is not appropriate.

4) The standardized land needs assessment methodology must be based on the Growth Plan, and must not incorporate past housing trends. We applaud your government’s decision to design and require the use of a standard land needs assessment methodology to justify expansions of the urban boundary. This is the biggest opportunity of the review, but it is also the aspect of the proposed changes that must be executed most carefully.

Waterloo Region’s land budget methodology was based on the parameters of the Growth Plan, incorporating the required intensification and density targets, along with the population that the region is required to accommodate. Waterloo Region’s land budget methodology rightly did not rely on outdated housing-by-type analysis and historic sprawl patterns to determine future land needs. The Ontario Municipal Board decision in January of 2013 was a threat to the Growth Plan in large part because it sided with a handful of greenfield developers who wanted the Region to use their land budget, which was based on historical trends and a 1995 housing-by-type methodology that substantially predated the Growth Plan and which was not concerned with the Growth Plan’s objectives.

After years of fighting that ruling, the Region of Waterloo has successfully defended its land budget that embraces the Growth Plan, and reached a negotiated settlement that ensures that the Region’s land budget methodology will be used to determine whether future boundary expansions are necessary.

However, many other land budgets being used by single- and upper-tier municipalities in the Greater Golden Horseshoe incorporate these outdated methodologies, rather than focusing on the population, intensification, and density requirements of the Growth Plan. These approaches continue past patterns of urban sprawl that the government has rightly sought to control through the plans.

We strongly recommend using the Region of Waterloo’s land budget methodology as the basis for the standard methodology. The Region’s methodology is based on the key features of the Growth Plan, and
is in use today. Based on our view from the ground, this would seem to be the most promising and reliable approach to developing this standard methodology.

However, regardless of what primary example is used, the standardized methodology must be based on the key principles of the Growth Plan: the population to be accommodated, the required intensification rate, and the density requirements of greenfield development outside the built boundary.

In Waterloo Region, those in the development industry who are heavily dependent on extensive greenfield development tried to use their own land budget methodology to undermine the Region of Waterloo’s commitment to the Growth Plan. They very nearly succeeded. While we are pleased that the province is moving to close one of the most tempting vulnerabilities in the land use planning system, we are concerned that those who would like to undermine the vision of the Growth Plan and Greenbelt will try to use the process of setting a standard methodology to undermine the province’s admirable efforts to enforce crucial intensification and density targets. We trust that the methodology will be handled carefully, and we look forward to participation in future consultations on this specific matter.

Once again, we commend your government’s commitment to strengthening smart growth across Ontario, and appreciate this opportunity to comment on the review. We hope that your government will act to expand the Greenbelt in Waterloo Region, ensure higher protections prevail, not substitute natural heritage system protections for much-needed Greenbelt expansion, and institute a land budget methodology based on the Growth Plan. We would be happy to hear from you with any questions, and we look forward to the next stages of the review.

Sincerely,

Mike Boos, Kate Daley, and Kevin Thomason

Co-Founders, Smart Growth Waterloo Region

www.smartgrowthwaterloo.ca