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Our File No.: 213513

By Courier

Town of Halton Hills
Policy, Planning & Development
1 Halton Hills Drive
Halton Hills, ON L7G 5G2

Attention: Mayor Ann Lawlor and Town Council

Dear Mayor Lawlor and Councillors:

Re: Council March 25, 2024 Meeting Agenda Item Item 9.2(c) – Stewarttown Secondary Plan Preferred Land Use Plan and Policy Direction

We are the solicitors for 1732216 Ontario Inc. and 2602151 Ontario Inc. (collectively, the “**Owner**”), a member of the Stewarttown Secondary Plan Steering Committee. As you know, our client owns the 16 hectare parcel of land in the hamlet of Stewarttown referred to in the Town of Halton Hills (the “**Town**”) as the “**Expansion Lands**”.

We are writing to express the Owner’s concerns with the Stewarttown Secondary Plan Preferred Land Use Plan and Policy Direction (the “**Concept**”). For the reasons set out below, the Concept does not represent good land use planning, is not consistent with the Provincial Policy Statement (2020) (the “**PPS**”), does not conform to the Growth Plan for the Greater Golden Horseshoe (the “**Growth Plan**”), does not conform to Halton Region’s Official Plan (the “**ROP**”), and does not represent good land-use planning. Our client requests that Town Council refuse to endorse the Concept and instead instruct staff to continue consultations with our client to identify a more appropriate land use plan that will appropriately optimize the Expansion Lands.

Background

The Expansion Lands are located within the defined Settlement Area and are located within a Designated Greenfield Area in the Growth Plan. The Growth Plan requires the Town to plan Designated Greenfield Areas to support a minimum density of 50 people and jobs per hectare. These targets are only minimum targets. The Growth Plan is clear that the Town and other municipalities are encouraged to plan beyond those minimum targets.

The ROP identifies that the Expansion Lands are located in the Urban Area, with portions also located in the Regional Natural Heritage System. Within the Hamlet of Stewarttown, established neighbourhoods have densities ranging between 2.2 – 15 units per hectare (UPH).

In our view, the Expansion Lands represent a vital parcel of land that the Town must prepare for optimization to meet its designated growth targets. The ROP requires the Town to plan for a population of 95,000 by 2041, with an expected growth rate of 1500 people per year. Much of this growth is anticipated to occur in the Urban Area. The Town's only *Strategic Growth Areas* are the Georgetown GO Station and two Secondary Regional Nodes, which do not have a planned minimum density target and cannot accommodate all growth in the Town. Accordingly, the Town must optimize its other Urban Areas to meet its growth targets.

The Expansion Lands are also located in the *Designated Greenfield Area* of the Town, which is required to be planned for a minimum density of 53 people and jobs per hectare and is expected to accommodate more growth than the *Built Up Area*. Between 2022-2041, the Region must accommodate almost 3500 more medium and high density units in its *Designated Greenfield Areas* than low density units. Likewise, the Region is requiring the Town to accommodate more medium and high density units in its *Designated Greenfield Areas* than low density units. As a vacant lot, the Expansion Lands represent a significant opportunity for the Town; optimizing these lands represents good planning, is consistent with the PPS and conforms to the Growth Plan and ROP.

Through Official Plan Amendment 10, the Town added the Expansion Lands to the urban boundary. The Expansion Lands are designated *Low Density Residential*, which permits a maximum density of 20 units per residential hectare and maximum building heights of three storeys.

Although the surrounding lands in Stewarttown are also designated as *Residential Policy Area 10*, which permits a maximum density of 5 UPH, Schedule A3 of Official Plan Amendment 10 clearly exempts the Expansion Lands from this designation. Instead, the Expansion Lands are designated *Future Residential / Mixed Use Area*.

Town and Region policies clearly identify that the Expansion Lands must be optimized and developed as a complete community in a compact form with a mix of housing types and supported by open space and community facilities.

The Concept

The Concept proposes to designate the Expansion Lands entirely for low density residential, with a density ranging from 5-8 UPH. This density would result in 55-88 units, which represents approximately 47-98 fewer units than the as of right density contained in the *Low Density Residential* designation.

The Concept also identifies one vehicular connection from Harrison Place, with a potential walkway/emergency access path at the southeast of the Expansion Lands. Servicing the Concept are several stormwater management ponds and a park located in the centre of the Expansion Lands.

Planning Rationale

In our view, (1) the Concept fails to optimize the Expansion Lands, ignoring the clear direction from higher-order policy. (2) The Concept is based on a flawed assessment of development constraints and (3) unduly emphasizes the existing low-rise character, notwithstanding that the Stewarttown community contains existing higher density communities and the planned context that emphasizes greater densities for the Expansion Lands.

The Concept Fails to Adopt the Optimization First Approach Required under Higher-Order Policy

As noted above, the Expansion Lands represent a significant opportunity for the Town to contribute towards meeting its housing targets. Information from the Ministry of Municipal Affairs and Housing confirms that the actual number of houses approved and built in the Town during 2023 fall well below provincial and Regional targets for the Town. To comply with these targets, the Town must make the most out of every opportunity, particularly given that the Town's planning consultant agrees that medium and high density options achieve the goals of the *Future Residential/Mixed Use* designation better than the Concept.

The Concept fails to achieve these goals. First, the Concept only provides low density single detached housing, and fails to provide an appropriate range and mix of housing options to meet projected needs, as required under Policy 1.4 of the PPS. Second, the Concept fails to adopt an "intensification first approach" by failing to optimize a *Designated Greenfield Area*. This failure will result in the development of fewer homes, contrary to Policy 2.2.7 of the Growth Plan. Third, the Concept ignores the direction in the ROP requiring the Town to prioritize medium and high density intensification in a *Designated Greenfield Area*, where the majority of growth is projected to occur. For these reasons, the Concept is not consistent with the PPS and does not conform to the Growth Plan or the ROP.

The Concept's Supporting Transportation Study Is Flawed

The Town's planning consultant identifies that the largest constraint to optimizing the Expansion Lands relates to existing and planned transportation conditions. The Town's consultant, C.F. Crozier & Associates Inc., prepared a Transportation Impact Study (TIS), based in part on work performed for the Vision Georgetown Secondary Plan and the Trafalgar Road Widening Municipal Class EA process. The TIS assumes that the Expansion Lands can be developed with 120 single-family detached units, but does not explain or test this concept.

Other concepts proposed densities ranging from 114-153 units. Based on the TIS' assumptions, it is unknown whether any of these scenarios are also feasible. The Town's planning consultant uses the TIS' assumption to conclude that a low density option with a maximum of 120 units could be

serviced by a single access point, but does not further assess whether a medium density option with more units per hectare could also be supported. It is inappropriate to rely on an arbitrary assumption and fail to study other concepts.

The Concept Gives Undue Weight to the “Rural” and Low-Rise Character

The Concept represents one of three options discussed during the development of the Stewarttown Secondary Plan. The other two options reflect a mix of low and medium density development. The Town’s planner recommended four evaluation criteria based on connectivity (adequate vehicular and pedestrian access), transitions to existing development, appropriate density and mix of uses, and presence of open space.

However, the Town’s planning consultant simply concludes that a low density option would be in keeping with surrounding density. Further, the Concept identifies a “rural character” that should be protected, notwithstanding that the Expansion Lands fall within the Urban area. The Concept inappropriately ignores portions of the existing context that include higher density neighbourhoods (including two 15 UPH neighbourhoods), and places an undue emphasis on the physical context, rather than the existing and emerging planning context set out above that requires the Town to optimize the Expansion Lands. As a result, the Concept does not represent good land use planning.

These reasons will be expanded further during a presentation to Council at its meeting on March 25, 2024. Further, we will also rely on the correspondence submitted by our client’s land-use planner, Glen Schnarr & Associates Inc.

Our client requests that the Town provide notification of any decision made with respect to the Concept and to provide an update on the Stewarttown Secondary Plan once a public version is ready for distribution.

Thank you in advance for your consideration. Please contact the undersigned if you require any further information.

Yours truly,

Goodmans LLP



Matthew Lakatos-Hayward
MLH/