

URBAN GROWTH BOUNDARY INCLUSION REQUESTS ...how did we get to where we are today?

❑ 2006 Official Plan Review Process – Municipal Council Resolution (August 13, 2007)

1. That the following actions be taken with respect to the Land Needs Background Study for the Official Plan Review:

(d) Planning and Development staff BE REQUESTED to prepare a report for a future meeting of the Planning Committee with respect to the process to be followed for the next five-year Official Plan Review that will include a review of strategic priorities in relation to the alignment of the Urban Growth Boundary (UGB) and a cost benefit analysis relating to servicing issues for any lands being considered for inclusion within the UGB. As well as those lands already within this boundary; it being notes that the report will be forthcoming in 2009. (emphasis added)

❑ 2011 Official Plan Review Terms of Reference

“...a review is required to confirm the land requirement projections, identify priority areas for development based on cost – effective servicing considerations and Industrial Land Development Strategy and evaluate the merits of individual requests for adjustments to the Urban Growth Boundary. (emphasis added)

❑ The (2011) ReThink London Official Plan Review - Land Needs Background Study (July 2013) did not undertake any analysis of the existing UGB, it simply relied on the same UGB that was identified over 15 years ago, as part of the Vision ‘96 process.

❑ **Council Resolution (July 30, 2013)** following the Planning & Environment Committee “Land Needs Background Study For the 2011 Official Plan Review – Request for Inclusion” Meeting on July 23, 2013

b) The development community BE ASKED to work with the Civic Administration to further review the analysis and assumptions used to determine the urban growth boundary and to further review the requests for expansions to that boundary (emphasis added);

c) Staff to evaluate the lands within the Urban Growth Boundary, and request beyond, with a view to not expanding the Urban Growth Boundary but possibly re-adjusting when it represents logical sound planning and is cost-effective to the municipality by using infrastructure more effectively and efficiently (emphasis added).

Has the staff report before you tonight completed the evaluation that you had requested?

- ❑ The staff report undertook an analysis of the requests that were submitted by landowners for inclusion within the UGB against a set of defined infrastructure and financial criteria...which was identified at the outset. Subsequently, submissions were categorized (Tier 1 – Tier 3), with only Tier 1 lands advancing through the evaluation process...how these lands were to be categorized was not previously identified.

Tier 1: lands that only require work already approved in past capital work budgets. These submission represent lands that could proceed for development utilizing existing or planned investments in infrastructure (i.e. no incremental effects on DC rates as currently planned).

- ❑ Unfortunately, this analysis did not include a review the lands which are already within the UGB. In some instances there are lands which are outside of the UGB that may need only one piece of DC fundable infrastructure which is not currently planned in the GMIS (would be categorized as Tier 2, as per staff's criteria, and not further analyzed for inclusion within the UGB) even though this one piece of infrastructure is less costly than several pieces of infrastructure which are already budgeted and planned for construction in the GMIS for a piece of land which is already in the UGB.
- ❑ The categorization of land (Tier 1 – Tier 3) essentially establishes the principle that in order for land to be included in the UGB all required works / services need to be already included in the DC / GMIS...however, in order to be included in the DC / GMIS typically land needs to be in the UGB. Land needs to be in the DC / GMIS in order to get into the UGB but land needs to be in the UGB in order to get into the DC / GMIS...a bit of conundrum...a principle that will surely be impossible to replicate in future Official Plan reviews.

...continued

- ❑ Lands seeking inclusion within the UGB which required at least one piece of DC fundable infrastructure, not currently planned in the GMIS, were excluded from further consideration even though lands which are already in the UGB and need numerous pieces of infrastructure (which are more costly) were not reviewed and in some instances the cost of their works was just recently added to the proposed DC that staff is working on (\$14M + of new infrastructure proposed in the 2014 DC Study for the Southwest).

- ❑ The staff report indicated that...

“..a high level review of possible land that could be removed from the UGB...” was undertaken. This review “determined that the first group of lands that could be considered to be removed would be lands designated Urban Reserve Community Growth...that there are also designated lands that will not be developed in the near term...some of these lands may also be considered as potential lands to be removed.”

Unfortunately, the review did not extend beyond lands designated as Urban Reserve Community Growth, as a result it is impossible to confirm that the most expensive and difficult lands to develop are being removed from the UGB.

Policy Framework:

- ❑ Section 26.1 of the Planning Act requires that Council determine the need to revise the OP every 5 years to ensure that it conforms with provincial plans or does not conflict with them, and has regard to the matters of provincial interest, and is consistent with provincial policy statements;

- ❑ Provincial Policy Statement:
 - 1.6.1 - Infrastructure and public service facilities shall be provided in a coordinated, efficient and cost-effective manner to accommodate projected needs. Planning for infrastructure and public service facilities shall be integrated with planning for growth so that these are available to meet current and projected needs;

 - 1.6.2 - The use of existing infrastructure and public service facilities should be optimized, wherever feasible, before consideration is given to developing new infrastructure and public service facilities;

- ❑ Section 1.4 of the City of London Official Plan...“...the Plan should not be regarded as a static or inflexible document that is resistant to the pressures of unforeseen economic, social or development changes during the planning period. It is intended, therefore, that the validity of the Plan should be maintained through an ongoing process of monitoring, review and modification as required.”

- ❑ The Planning Act requires a 5 year review that is “consistent with” the PPS...the City’s OP indicates that it will designate lands for urban growth in keeping with all applicable provincial policies (PPS) and will consider alternatives for the direction of growth based upon comparative costs for the provision of infrastructure and financial implications for the municipality (in conjunction with the 5 year review)...the PPS indicates that a UGB may be identified and / or expanded only at the time of a comprehensive review (5 year review) which is integrated with planning for infrastructure. Has the staff report which is before you tonight, as part of the 5 year OP review completed the evaluation which Council requested, satisfied the City’s own OP policies, is it “consistent with” provincial policies?

Conclusion:

- ❑ Considering all of the above...
- we would respectfully submit that with the evaluation completed to date it is impossible for Municipal Council, staff, the development industry, existing tax payers, and future homeowners to assure themselves that we are developing in the most cost-effective and efficient manner possible;
- As such, we would respectfully request that the report before you tonight be referred back to staff