



TO: Development and Infrastructure Committee
FROM: Planning and Building
**SUBJECT: Official Plan Review: Proposed Employment Land
Conversion Request Assessment Process and Strategic
Vacant Land Assessment**

Report Number: PB-18-14

Wards Affected: All

File Numbers: 505-08-02

Date to Committee: May 26, 2014

Date to Council: June 9, 2014

Recommendation:

Endorse the proposed Employment Land Conversion Request Assessment process, as described in Section 5.2 of PB-18-14 which establishes a deadline of August 1, 2014 for the submission of an employment land conversion request; and

Direct the Director of Planning and Building to prepare Draft Employment Land Policy Directions by Q3 2014 for Council endorsement to complete the suite of policy directions related to the Official Plan Review Employment Lands Study; and that subject to Council endorsement, that these directions be referenced as part of conducting the Employment Land Conversion Request Assessment; and

Direct the Director of Planning and Building to provide an Assessment of Employment Land Conversion Requests, as described in Section 5.2 of PB-18-14 to Council in Q1 of 2015.

Purpose:

The purpose of the subject report is to:

- Propose an assessment process for the consideration of conversion requests; and
- Report on the strategic vacant land assessment.

Background:

1.0 Chronology

As part of presenting background information, the following chronology is provided:

<p>June 20, 2011 (CDC)</p> <p>July 7, 2011 (Council)</p> <p>CONSULTANT STUDY</p>	<p>Council received Phase 1 Employment Land Study, MKI/MMM, May 7, 2011. <i>Burlington Employment Lands Study, 2011</i>(PB-37-11).</p> <p>This study reported on the following key components:</p> <ul style="list-style-type: none"> • analysis of the trends in employment uses in southern Ontario and the implications for demand for employment land, • updating of the supply of vacant, developable employment land, • calculation of the demand for employment land to the planning horizon of 2031 and having regard for the targets established under the Provincial Growth Plan, • strategies and options for the City to meet growth objectives.
<p>December 3, 2012 (CDC)</p> <p>December 10, 2012 (Council)</p> <p>CONSULTANT STUDY</p>	<p>Council received Phase 2 Draft Employment Lands Study, Dillon, dated November 26, 2012. <i>Draft Employment Lands Study, Phase 2</i> (PB-101-12).</p> <p>This draft study builds on the findings of the Phase 1 ELS, developed a more detailed understanding of the vacant employment lands and their characteristics, identified opportunities and issues for Employment Lands throughout the City and provides a series of strategic directions to inform policy development.</p>
<p>January 14, 2013 (D&I)</p> <p>January 28, 2013 (Council)</p>	<p>Council endorsed Employment Land Conversion OP Policy Directions. Official Plan Review: Directions Report on the Draft Employment Land Conversion Policies; and, Proposed Strategic Assessment of Vacant Employment Land Inventory (PB-17-13).</p>

<p>DIRECTIONS REPORT</p>	<p>This report referenced existing approved Official Plan employment land conversion policies and proposed minor refinements to existing employment land conversion policy.</p> <p>Staff were directed to conduct a Strategic Vacant Land Assessment.</p>
<p>March 19, 2013</p> <p>STAKEHOLDER SESSION</p>	<p>Employment Lands Stakeholder Session</p>
<p>March 24, 2014 (D&I)</p> <p>April 7, 2014 (Council)</p> <p>CONSULTANT STUDY</p>	<p>Council received Phase 2 Final Employment Lands Study, Dillon, February 28, 2014. Report providing information on the Official Plan Review: Transmittal of Final Phase 2 Employment Lands Study (PB-17-14).</p> <p>This draft study builds on the findings of the Phase 1 ELS, developed a more detailed understanding of the vacant employment lands and their characteristics, identified opportunities and issues for Employment Lands throughout the City and provides a series of strategic directions to inform policy development. The Draft Report was modified to capture further discussion on methodology, <i>Planning Act</i> protection for employment land conversions, and intensification</p>

Data and findings from the studies reported above, stakeholder and agency comments on those studies, Burlington Economic Development Corporation’s Employment Lands Operational Plan, as well as discussions during the scoping phase of the Official Plan Review have all contributed to the municipal comprehensive review, and specifically, the City’s understanding of the existing vacant employment lands supply as well as general issues facing employment lands in Burlington.

In order to move toward the completion of the municipal comprehensive review to date, staff must provide Council with further information, discussion and ultimately recommendations to assist in decision making.

The next steps in advancing through the municipal comprehensive review include:

1. Designing a process to assist staff in providing recommendations and support Council in the decision making related to Employment Land Conversion Request Assessment. The subject report will assist in addressing this step.
 2. Bring forward additional employment lands policy directions, which will complement the employment conversion policy directions previously endorsed for public consultation by Council on January 28, 2013 (Appendix A) and complete the suite of employment lands policy directions as part of the current Official Plan Review;
 3. Conduct the Employment Land Conversion Request Assessment process which will consider the conversion requests received by proponents, as well as other areas identified by the City for potential conversion; and
 4. Report the findings of the Employment Land Conversion Request Assessment back to Council;
 5. Report on all proposed amendments to the Official Plan and specifically amendments to the urban structure, inclusive of employment lands, upon the conclusion of the municipal comprehensive review.
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Discussion:

2.0 Policy Context

Planning for employment is considered at the Provincial, Regional, and local levels. The following section provides references to relevant provincial, regional and local policy.

2.1 Provincial Policy

Planning Act

The *Planning Act* identifies “the adequate provision of employment opportunities” as a matter of provincial interest. In Section 26, which directs the review of Official Plans not less frequently than every five years, the *Planning Act* specifically directs the council of the municipality in Section 26(1)(b) to:

revise the official plan, if it contains policies dealing with areas of employment, including, without limitation, the designation of areas of employment in the official plan and policies dealing with the removal of land from areas of employment, to ensure that those policies are confirmed or amended. 2006, c. 23, s. 13.

The *Planning Act* defines “area of employment” as an area of land designated in an official plan for clusters of business and economic uses including, without limitation, the uses listed in subsection (5), or as otherwise prescribed by regulation; (“zone d’emploi”). The uses referred to in the definition of “area of employment” in subsection (1) are,

- (a) manufacturing uses;
- (b) warehousing uses;
- (c) office uses;
- (d) retail uses that are associated with uses mentioned in clauses (a) to (c); and
- (e) facilities that are ancillary to uses mentioned in clauses (a) to (d). 2006, c. 23, s. 1 (6).

As noted in the Phase 2 ELS the *Planning Act* includes specific sections intended to strengthen municipal control over designated areas of employment, specifically related to employment land conversions by restricting permitted appeals. The City of Burlington Official Plan currently includes conversion policies. For further discussion on the strengthened appeal restrictions established in the *Planning Act* please see the Phase 2 ELS.

Provincial Policy Statement

On February 24, 2014 the Province released the *Provincial Policy Statement, 2014* (PPS, 2014) which came into effect on April 30, 2014. It replaces the *Provincial Policy Statement, 2005* issued on March 1, 2005. The PPS, 2014 builds on the PPS, 2005 and provides policy direction on matters of provincial interest related to land use planning and development. One important note to consider is that the new PPS, 2014 contains no transition policies. This means that for applications made after January 1, 2007 land use decisions must reflect the policies in place when the decision is made (i.e. not when the application was made). The PPS includes direction related to employment, employment areas and employment land conversion policies in the following sections:

- Part V, Section 1.1 – Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
- Part V, Section 1.3 – Employment
- Part V, Section 1.3.2 – Employment Areas

The PPS, 2014 includes a series of directions related to Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns (Section 1.1). Included below are several of those directions which are most relevant to

employment uses and employment areas. The PPS states that “healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long term needs
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;

Section 1.3.1 the PPS, 2014 states:

Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- c) encouraging compact, mixed use development that incorporates compatible employment uses to support liveable and resilient communities; and
- d) ensuring the necessary infrastructure is provided to support current and projected needs.

In Section 1.3.2 the PPS deals specifically with “Employment Areas”. The definition for “Employment area” reads as follows:

means those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities. (PPS, 2014)

There are four key policy directions specific to Employment Areas:

- 1.3.2.1 Planning authorities shall plan for, protect and preserve employment areas for current and future uses and ensure that the necessary infrastructure is provided to support current and projected needs.
- 1.3.2.2 Planning authorities may permit conversion of lands within employment areas to non-employment uses through a comprehensive review, only

where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

1.3.2.3 Planning authorities shall protect employment areas in proximity to major goods movement facilities and corridors for employment uses that require those locations.

1.3.2.4 Planning authorities may plan beyond 20 years for the long-term protection of employment areas provided lands are not designated beyond the planning horizon identified in policy 1.1.2.

Places to Grow

Places to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) incorporates a number of policies related to planning for employment. The *Growth Plan* includes population and employment growth forecasts at the upper-tier and single-tier level, directions on employment land planning, directions for economic competitiveness and, directions on employment land conversion at the time of a municipal comprehensive review. The *Growth Plan* defines a *municipal comprehensive review* as “an official plan review, or an official plan amendment, initiated by a municipality that comprehensively applies the policies and schedules of this [*Places To Grow*] Plan.”

Municipalities may permit conversion of lands within employment areas, to non-employment uses, only through a municipal comprehensive review where it has been demonstrated that:

- a) there is a need for the conversion
- b) the municipality will meet the employment forecasts allocated to the municipality pursuant to this Plan
- c) the conversion will not adversely affect the overall viability of the employment area, and achievement of the intensification target, density targets, and other policies of this Plan
- d) there is existing or planned infrastructure to accommodate the proposed conversion
- e) the lands are not required over the long term for the employment purposes for which they are designated
- f) cross-jurisdictional issues have been considered.

For the purposes of this policy, major retail uses are considered non-employment uses.

Through this Official Plan Review the City will have the opportunity to determine if there are employment lands which should be considered for conversion through the *municipal comprehensive review*.

2.2 Regional Policy

Region of Halton Official Plan

In 2006, the Region of Halton launched the Sustainable Halton process to respond to the province's *Growth Plan*, Greenbelt Plan and the Provincial Policy Statement. In 2009, as part of the Sustainable Halton process, the Region of Halton initiated two Official Plan Amendments to the Region of Halton Official Plan.

These amendments were the Regional Official Plan Amendment No. 37 and Regional Official Plan Amendment No. 38 (ROPA 38). ROPA 38 incorporated the result of the statutory five-year review of the Regional Official Plan under the Planning Act.

ROPA 38 is currently under appeal before the OMB. Through the hearing process, the Board has ordered partial approval of some parts of the plan. It appears that for the most part the employment area policies are no longer under appeal.

The policy identifies employment and population growth targets specific to each of the Region's lower tier municipalities. The policies in ROPA #38 give direction on issues related to employment lands, including among other things:

- the protection of employment lands,
- institutional uses in employment areas,
- the preferred location of employment lands, and policies detailing the criteria against which conversion will be considered.

ROPA #38 also includes an overlay on Map 1 – Regional Structure includes an overlay called “Employment Area” which identifies Employment Areas of Regional Interest. The plan also includes a definition of "area of employment" consistent with those found in the *Planning Act* and the *Growth Plan*.

2.3 City of Burlington Policy - City of Burlington Official Plan

Burlington's Settlement Pattern and Land Use Maps

The City identifies “Employment Lands” in broad geographic terms on Schedule A – Settlement Pattern of the Official Plan. The underlying land designations applicable to these identified “Employment Lands” are further refined through Schedule B, and Schedule F (Uptown Mixed Use Centre).

The Official Plan defines “Area of Employment”. The definition is consistent with the definitions found in the *Planning Act*, *Provincial Policy Statement, 2014* and the *Growth Plan*. The definition in the City's Official Plan further describes that:

For the purposes of this Plan, the lands designated Business Corridor, General Employment, Mixed Use Corridor – Employment, Uptown Employment, Uptown General Employment and Uptown Office Business Park are considered to be Areas of Employment.

The designations included in the “Area of Employment” definition are found on the following schedules:

On Schedule B:

- Business Corridor
- General Employment
- Mixed Use Corridor – Employment

On Schedule F (Uptown Mixed Use Centre):

- Uptown Employment
- Uptown General Employment
- Uptown Office Business Park

The following table presents the approximate total land area (in hectares) of each of the employment lands designations as well as the portion of the vacant employment land inventory (in hectares) in each designation.

Table 1: Employment Land Use Designations Total Land Area and Vacant Land Inventory in Hectares.

Employment Land Use Designations / Description	Land Area (Ha) (includes road right of ways, based on OP designations- may not be exact)	Vacant Land Inventory (Ha) (actual site size not including road right of ways)
Schedule A "Employment Lands"	2200*	
Schedule B General Employment Business Corridor Mixed Use Corridor - Employment	1220 800 152	174 97.6 12.7
Schedule F Uptown Employment Uptown - General Employment Uptown Office Business Park Uptown Mixed Use Corridor Employment	7.5 14.5 5 15	13.9**
Total (Schedule B and F)	2214	298.2***

* Note that Schedule A is intended for general reference only and does not, for example, include Uptown Employment designations in "Employment Lands". The figure is approximate.

** The total vacant employment land inventory found within the Uptown Area is generalized across all Uptown designations.

*** Note that the Vacant Land Inventory total in this table is not equal to the supply of 308.1 ha from Phase 2 ELS, because the parcels that were partially or entirely designated "Employment Commercial" or "Other" designations (see Burlington Employment Lands Study – Phase 2 Final Report, pg 55) are not included in this table (a total of approximately 10 ha).

Existing Official Plan Policies

As part of OPA #55, which was the culmination of the last five-year review of the Official Plan, a number of modifications were incorporated in order to meet the requirements of the *Growth Plan*.

The policies are based on a number of principles in Part III, Section 3.1:

- | | |
|-----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Strengthen employment and economic base | a) Burlington's <i>employment</i> and economic base <i>shall</i> be strengthened by providing a municipal environment that <i>encourages</i> the establishment, retention and expansion of businesses and institutions. |
| Jobs and assessment base | b) The economic strength of the City <i>shall</i> be improved by increasing job opportunities and expanding the assessment base through <i>employment</i> and economic development. |
| Balanced consideration | c) Economic development <i>shall</i> occur within the context of a balanced consideration of physical, social, economic and environmental demands and constraints. |
| Compatibility with other uses | d) <i>Employment</i> activities <i>shall</i> develop and operate in a fashion that is <i>compatible</i> with other land uses, especially residential. |
| Full range of uses | e) A full range of <i>industrial</i> /manufacturing and office uses and related services <i>shall</i> be permitted in Employment Lands. |
| Public transit | f) <i>Employment</i> activities that attract large numbers of employees <i>shall</i> be served by public transit. |
| Sufficient supply of land | g) A sufficient supply of lands for <i>employment</i> purposes <i>shall</i> be maintained to meet existing and future needs. |

The employment lands policies also include a series of objectives (Part III, Section 3.0 Employment Lands, 3.2.1):

Strengthen employment and economic base	a) Burlington's employment and economic base shall be strengthened by providing a municipal environment that encourages the establishment, retention and expansion of businesses and institutions.
Jobs and assessment base	b) The economic strength of the City shall be improved by increasing job opportunities and expanding the assessment base through employment and economic development.
Balanced consideration	c) Economic development shall occur within the context of a balanced consideration of physical, social, economic and environmental demands and constraints.
Compatibility with other uses	d) Employment activities shall develop and operate in a fashion that is compatible with other land uses, especially residential.
Full range of uses	e) A full range of industrial/manufacturing and office uses and related services shall be permitted in Employment Lands.
Public transit	f) Employment activities that attract large numbers of employees shall be served by public transit.
Sufficient supply of land	g) A sufficient supply of lands for employment purposes shall be maintained to meet existing and future needs.

Employment Land Conversion Policies

The Official Plan currently includes conversion policies for General Employment (as well as Uptown - General Employment) and Business Corridor designations (Part III – Section 3.2.2 d)), for Mixed Use Corridor Employment (Part III - 5.3.4 k)) and for the Uptown Mixed Use Corridor - Employment Area (Part III - 5.6.12 e)). In January 2013, Council endorsed draft employment conversion policies which provided modifications to the existing in force policies for consultation purposes. The draft employment conversion policies can be found in Appendix A and are presented showing the additions and deletions to the City's existing employment land conversion policies. As noted in PB-17-14 comments on the proposed conversion policies have been collected from key stakeholders and will be considered in future reports discussing draft directions for policy change.

Any proposal to re-designate a property to non-employment uses must be considered in conjunction with the comprehensive review provisions identified in the Provincial Policy Statement and the policies of Provincial Plans. Requests or applications submitted regarding employment land conversion shall be considered premature pending the completion of the municipal comprehensive review.

As was identified through the analysis of the vacant land inventory contained in the Phase 2 ELS the strength of Burlington's vacant land inventory is in its diversity (range of parcel sizes, locations, and characteristics). For more details please refer to the Final Phase 2 ELS ([link to PB-17-14 Appendix A](#)). The analysis of the characteristics of the vacant land inventory demonstrated that:

- i. The City has a sufficient supply of vacant "serviced"¹ employment land (165 ha – or 22 years based on 7.45 ha absorption/year) and over the long term all employment lands are planned to be serviced by the Region.
- ii. The inventory of vacant employment lands are for the most part designated and zoned for employment
- iii. The inventory of vacant employment land is comprised of a broad range of parcel sizes. 10% of the inventory of vacant employment lands are over 10 ha and make up over 50% of the vacant employment land area. The existence of these large parcels supports the City's ability to accommodate a wide range of users including very large users. These large parcels also afford the opportunity for secondary planning and subdivision to create new parcels which would improve the range of sizes of parcels available for employment development.
- iv. The inventory of vacant employment lands are all in close proximity to 400 series highways (100% of the parcels are within 3 km).
- v. The inventory of vacant employment land includes several parcels with access to rail (14% of parcels).
- vi. The inventory of vacant employment land includes high profile sites with visibility on 400 series highway (32% of parcels).
- vii. Over half (56%) of the vacant employment land parcels are within 400 metres of an existing transit route.

¹ "Serviced" in the context of the Phase 2 ELS means that development of these lands can be accommodated without major off-site extensions to the water, wastewater and stormwater system to get to the property boundary. It is relevant to note that this analysis was performed at the aggregate level – but the ability to service a specific development would be confirmed through the submission of development applications for review by the Region of Halton and the City of Burlington based on specific demand requirements and phasing/timing.

- viii. The inventory of vacant employment lands offers some opportunities for areas in proximity to Mobility Hub (9% of parcels are within 800 metres of Mobility Hub / GO Station- and of that only 5% are within 400 metres).

3.0 Setting the Context for the Employment Land Conversion Request Assessment

The Phase 2 ELS recommended nearly all of the City's designated employment lands are of strategic importance and should be retained to ensure that the City can capitalize on its future growth potential to 2031 and beyond. The discussion and recommendations from both the Phase 1 ELS and the Phase 2 ELS agree.

In Phase 1 ELS identified that "[T]he planning principle at issue is the need to ensure that decisions made today will not preclude the ability of the City to achieve its long term objectives of balancing employment and population growth"(Employment Lands Study: Final Report, MKI/MMM, June 7, 2011, pg 14). The Findings of the Phase 1 ELS further state:

It is as if the employment lands supply in Burlington has reached retirement age and is now facing the reality of having to live on a fixed income. The approach to spending and saving in this context would change dramatically, as does the penchant and capacity for risk. (Employment Lands Study: Final Report, MKI/MMM, June 7, 2011 pg ii)

The Phase 2 ELS reiterates that the policy framework should be strengthened to fully utilize the employment generation and economic potential of the employment lands given:

- the finite supply of designated employment lands (fixed urban boundary and Greenbelt Plan), and
- the Province's approval of Amendment 2 to *Growth Plan* (projections extended to 2041).

The recommendations also recognize that from time to time there may be a compelling reason to entertain conversion, particularly when it can achieve another one of the City's objectives which staff have attempted to capture as "*need* as defined by the City".

3.1 Need as defined by the City

The Council endorsed employment conversion policies (Appendix A) speak to the requirement of a demonstrated *need* for the conversion as determined by the City. Need is a complex concept that must be considered in the context of the City's existing Settlement Pattern and future Urban Structure as set out in the goals and objectives of the Official Plan. It also must be considered in relation to a given site's characteristics among certain considerations including, but not limited to: compatibility, contamination,

and redevelopment potential for sites which include a diverse mix of uses including high quality employment. There are two categories of information that can be presented to start to shape the concept of need, as defined by the City:

- Land Supply, and
- Existing Settlement Pattern and Potential Modifications to Urban Structure through the Official Plan Review.

3.1.1 Land Supply

In terms of land supply the City is concerned with ensuring that an adequate land supply is maintained to accommodate first, forecast growth and second, future opportunities for growth. The following provides a high level 'land supply' discussion:

Future Opportunities

As noted in the Phase 2 ELS nearly all of the City's designated employment lands are of strategic importance and should be retained to ensure that the City can capitalize on its future growth potential to 2031 and beyond. The PPS, 2014 supports long term planning and protection of employment areas, beyond the 20 year horizon. The potential created as a result of the Provincial growth forecast in the *Growth Plan* to 2041 is highlighted in the Phase 2 ELS. The report also notes that the Provincial Greenbelt effectively limits the City's ability to designate new greenfield lands and there are virtually no other opportunities to designate new employment lands within the current urban area. City Council has also endorsed BEDC's accelerated employment growth objectives calling for a doubling of the job creation targets established under Places To Grow and Sustainable Halton. A significant portion of these jobs are expected to be accommodated on employment lands.

Vacant Employment Lands Supply

The City of Burlington has an adequate supply of vacant employment lands, but that supply will likely be exhausted sometime between 2031 and 2044.

Residential

A detailed review of residential intensification opportunities was undertaken by staff with support from Meridian Planning Consultants in 2008. The analysis identified that through intensification and Greenfield development the City is expected to be able to accommodate the forecast population growth to 2031. At this time there is no need to convert employment lands for residential purposes in order to meet the allocation of forecast population growth to 2031.

Commercial

The Commercial Strategy Study which is currently underway has identified that there is no need to re-designate employment lands to accommodate commercial development to 2031. In fact there is a very limited amount of additional commercial development required to support growth in the City of Burlington to 2031. At this time there is no need to convert employment lands for commercial purposes.

Institutional

Despite the permissive and flexible approach, some institutional uses such as schools and places of worship may not be adequately accommodated within the City's broad land use distribution. Employment Land conversion is not required since these uses are permitted currently. The Official Plan Review will be considering recommendations from the various reports to address these issues as they relate to these uses within employment designations and throughout the City.

Employment

Analysis undertaken by Watson and Associates through the City's Development Charges Background Study presented to the Consultation Committee provides three key observations related to employment forecasts and actual employment growth. Watson and Associates, in a memo dated October 1, 2013, compared Burlington's DC Growth Forecasts from the 2004 and 2009 DC Background Studies against the actual Census data and found:

- Both the 2004 and 2009 DC studies had forecasted higher employment figures for 2011 than the 2011 Census actual (84,120 employees² in the 2004 DC Study and 80,510 employees in the 2009 DC Study, compared with 76,400 in 2011 Census)
- The DC employment forecast for the 2021 period, based on Halton 2011 Best Planning Estimates (BPE) has decreased from 98,730 employees in the 2004 DC Study, to 91,330 employees in the 2009 DC Study and 84,755 employees in the 2014 DC Study.
- The decrease in the total number of jobs that were forecasted for Burlington by 2021 is largely a result of the recent economic slowdown.

² Employment figures exclude Work at Home and No Fixed Place of Work employment.

As previously mentioned, the 2004 and 2009 DC Studies had projected significantly higher employment figures for 2011 than what had actually materialized, according to Statistics Canada data. Accordingly, the 2004 and 2009 DC Studies had a higher 2021 employment forecast, largely because the 2011 employment base estimates were higher than Census period actuals. (Watson and Associates, Memo dated October 1, 2013)

3.1.2 Existing Settlement Pattern and Potential Modifications to Urban Structure through Official Plan Review

Consideration of the need to convert employment lands to support the existing settlement pattern or proposed modifications to the urban structure will inform need. The results from the data, research and findings of the major studies being undertaken as part of the Official Plan Review will be critical to determining need as defined by the City. For example it may be important to consider a conversion to support the intensification objectives of the City (e.g Mobility Hubs).

3.2 Strategic Vacant Land Assessment

On January 28, 2013, Council directed Staff to conduct an assessment of the vacant employment land inventory to assist with evaluations of conversion requests and to inform employment lands operational plans, marketing of sites/districts, servicing priorities and secondary plans for employment areas.

Given that there would be pressure for employment conversions the care taken by the municipality to ensure the protection of employment lands in the past must be carried through this review. This continues to be the case given the City's fixed urban boundary and the finite nature of the employment lands supply. In other words, all efforts must be made to protect from the unwarranted conversion of employment lands in the City.

The concept of developing a prioritized list of the parcels included in the vacant lands supply identified in the Phase 2 ELS was explored to determine if this approach would assist Council in decision making at the time of considering employment land conversion requests. The approach was discussed at length by city staff and it was determined that there were a number of challenges with the approach. The following list highlights those of immediate concern related to a prioritized list of vacant employment parcels to the staff team. Such a tool:

1. Is focused on the near term and could obscure long term opportunities that would be considered strategic for the City's development up to and beyond 2031.

2. Is focused only on the vacant employment lands supply; the entire employment lands supply must be considered through a municipal comprehensive review.
3. May not represent all constraints on a given parcel (i.e potential site contamination, specific natural heritage features). Constraints on a given site may only be highlighted in relation to a specific proposal and may not necessarily have been captured in the Phase 2 ELS parcel by parcel assessment of vacant employment parcels (Section 4, Phase 2 ELS).
4. Does not recognize the demonstrated strength of the current vacant employment land supply is that it is able to meet the requirements of a wide range of employment uses; no clear hierarchy emerged from the Phase 2 ELS through the parcel by parcel analysis.

Given the above findings, the staff turned its attention to exploring a means of enhancing the existing conversion process and Official Plan policies. While there may not be a productive role for a ranking exercise based on only those vacant employment lands there is certainly an enhanced role for BEDC to play in the consideration of those conversion requests. The *Growth Plan* requires that municipalities promote economic development and competitiveness. Comments from BEDC in the context of the municipal comprehensive review could potentially provide an additional perspective that may speak to the promotion of economic development and competitiveness that would complement the consideration of the conversion policies. This will assist with the analysis of employment land conversion requests initiated by landowners and by the City.

All of the employment lands vacant or occupied in Burlington have inherent value for use for employment purposes. The lands are of high quality, but it is also recognized that no given site would be free of all constraints to development. No clear hierarchy emerges through inspection, rather the variety of parcels in terms of their size, location and servicing characteristics provide a “range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses”(*Growth Plan*, 2.2.6.2 b) throughout the planning period.

Staff with assistance from BEDC will commit to reviewing all of the parcels in the vacant employment land inventory to determine which, if any, of the parcels would appropriately be considered in the employment conversion request assessment process. City staff will complete this work in order to meet the August 1, 2014 deadline (see Section 5.2).

5.0 Employment Land Conversion Requests

5.1 Process to date

Through Phase 1 and Phase 2 of the OPR employment lands studies, a number of proponents have inquired about the potential to convert employment lands to permit non-employment uses. Staff tracked these inquiries and provided each proponent with a letter detailing:

- the existing Official Plan policies related to employment land conversion,
- the description of the Official Plan Review, specifically the Employment Lands Study, Phase 2,
- the draft Official Plan employment conversion policies endorsed for consultation by Council January, 2013,
- the City’s opportunity to consider site specific employment conversion requests,
- a request for further information related to the property including:
 - location, size, zoning, current use and length of time the current use has been in place;
 - history of the land use on the site;
 - constraints to which the land is subject;
 - barriers or perceived barriers to the continued use of this property for employment purposes.

As of May 7, 2014 there are twelve confirmed employment conversion requests, which are set out in Table 2 below.

Table 2: Complete Employment Conversion Requests received to date

#	Property Address	Current Official Plan Designation	Current Zoning
1	4445 Fairview Street (north side west of Appleby Line)	Mixed Use Employment	MXE
2	3309 Harrison Crescent (Alton –east side of Appleby Line)	Business Corridor	BC1-409
3	238 Sumach Drive (auto salvage yard)	General Employment	GE2-49
4	1077 Howard Road & 1070 Waterdown Road (King Paving)	General Employment (interior lands) & Mixed Use Employment (strip adjacent to Waterdown Rd)	GE1-12 (1077 Howard) H-GE1-57 (1070 Waterdown)
5	1309 Appleby Line	Uptown Mixed Use Corridor Employment	D

#	Property Address	Current Official Plan Designation	Current Zoning
	(Taylor Farm)	& Watercourse	
6	53 Plains Road East & 1025 Cooke Boulevard (Solid Gold)	Mixed Use Corridor Employment	MXE
7	15 Plains Road West, 1016 Waterdown Rd. & 1018 Waterdown Rd. (NW corner Plains & Waterdown Rd.)	Mixed Use Corridor Employment	MXE
8	901 Guelph Line (Navistar site)	Business Corridor	H-BC1-333
9	1900 Appleby Line (LJM Plaza at Corporate Dr.)	Uptown Employment	UE
10	1021 Emery Avenue (south of King Paving)	General Employment	GE2
11	1830 Ironstone Drive (Rona Site)	Uptown General Employment Area	UE-227
12	2170 Queensway Drive (Bull Moose Tube)	General Employment	GE2

While there are only 12 confirmed employment conversion requests, the City is aware through existing general inquiries, that there may be additional interest for conversions in the community, not currently identified in this list. As such, the City will provide public notice indicating that a municipal comprehensive review is currently being conducted and that a window of time has been established for the submission of employment land conversion requests. Any properties already identified in Table 2 above will continue to be considered. A deadline will be given as part of the notice to clarify the window in which the City will be accepting employment conversion requests (see section 5.2).

5.2 Proposed process

A submission deadline of August 1, 2014 (at the end of business) is proposed as the last opportunity to submit an employment land conversion request. A deadline is

required to ensure that staff can evaluate all prospective conversions individually and comprehensively. Those individuals who had previously contacted the City regarding an employment land conversion request but who had not provided additional details regarding the request will be contacted by Planning and Building staff. In order to be clear and transparent about this opportunity, notice of the opportunity to be considered through the municipal comprehensive review will be placed in local and national newspapers, and provided to employment lands stakeholders, with the assistance of BEDC. The City's website will be updated to reflect the opportunity.

All individuals who have submitted conversion requests which have been received by the City by August 1, 2014 will be required to attend a meeting with City staff. Meetings will be scheduled as soon as possible after the August 1, 2014 deadline.

The meetings will give proponents and staff an opportunity to go over the following key elements:

- Employment lands policy process to date:
 - o Phase 1
 - o Phase 2
 - o Employment Land Conversion policies existing and endorsed for consultation
 - o The municipal comprehensive review
- Next Steps
- Timeline
- Expectations
- Discussing the specific request details or additional information to be submitted.

Any additional information identified will be required to be submitted no later than October 1, 2014. As noted above any proponent who has inquired about employment conversion through the Official Plan Review will also be forwarded the details and provided an opportunity to be considered.

Every property will be presented back to Council in the format shown in Table 3 below. All employment conversion requests will be presented together. The relevant details of the request, information provided, policy framework, details from the Phase 2 ELS site analysis (where applicable), physical characteristics of the site, existing and adjacent uses will all be presented. Staff time will be allocated for research and site visits. Staff will consider the following in presenting an assessment on a given parcel in the context of the Municipal Comprehensive Review:

- Provincial Policies and Plans
- the existing Official Plan policies
- the details of the conversion request presented in the table,

- the existing Official Plan employment conversion policies
- the modified Official Plan employment conversion policies endorsed for consultation by Council (Appendix A)
- the contents and discussion included in this report, and
- the future draft employment land policy directions (future report)
- other information from the ongoing Official Plan Review

Table 3: Framework for Evaluating Employment Land Use Conversion Requests

	Description
Address	Property address
Owner	Name of owner
Proponent (if different from owner)	Name of proponent
Request details	Specific details provided in the letter
Additional Information requested?	<p>It should be noted that the City will only request additional information relevant to:</p> <ul style="list-style-type: none"> • additional details regarding the conversion request, • the consideration of the employment conversion policies (existing and proposed), • supporting information to complete this table, • information or comments to support the process as described herein, • additional information related to (future) draft employment policy directions.
Region of Halton Official Plan (ROPA #38)³	Is the property found within the Region of Halton Official Plan Employment Area overlay? Yes, No, Partial

³ The Urban Area Policies the Region of Halton includes policies related to “Employment Areas”. Map 1 of the ROPA #38 includes an overlay called “Employment Areas”. If lands are identified in the Region’s overlay and a conversion inquiry is submitted early discussions will be required with the Region of Halton as these lands have been recognized as employment lands of Regional interest.

Official Plan Designation and policy framework	Current Designation, permitted uses, existing and modified conversion policies any other relevant details.
Zoning	Current Zoning
Included in Vacant Employment Land Inventory?	Is this property one of the parcels identified as part of the vacant employment land inventory described in Phase 2 ELS? What were the characteristics of the property as analyzed in the Phase 2 ELS. What did the Site Visit Notes detail?
Site Area and Existing Uses	Site size, characteristics, other relevant site details. Current and historical use of the property.
Adjacent Land Uses	Immediate adjacent uses. Within an identified Strategic Employment District? Within the existing or a proposed element of the Urban Structure?
Assessment	<p>Consideration of Provincial plans and policies, the Regional Official Plan and the City of Burlington Official Plan including the existing employment conversion policies, the draft modifications to the existing employment conversion policies endorsed by Council for consultation, and any other relevant direction from the Official Plan Review.</p> <p>Direction:</p> <ul style="list-style-type: none"> • This parcel should be retained as part of the employment land inventory. • This parcel should be re-designated to a specific land use designation. This re-designation could be proposed with or without site specific requirements. • This does or does not require Regional approval.

The Burlington Economic Development comments will be provided outside of the framework above but will be considered an input to the preliminary assessment.

Description

Burlington Economic Development Corporation Assessment	Input as to whether or not the requested employment land conversion supports both BEDC's mandate and the City's "Prosperity" strategic goal in the Strategic Plan.
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Outcome

At the end of the employment conversion assessment process Council will be given an assessment on which to base a decision. This is estimated to take place by Q1, 2015.

This assessment relates only to the question of whether a given parcel or lands within “employment areas” should be converted from employment to non-employment uses.

If a conversion request is recommended for refusal no changes to policy or schedules will be included in the assessment. In some cases there may be a need identified to re-designate within the existing employment designations within the Official Plan where there may be some value in permitting expanded uses.

If a conversion request is recommended for approval this approval will be related only to the policy designation considered to be appropriate for the site along with any specific conditions, if required. This process in no way will replace the need for site specific discussion of development feasibility of the site. In other words, additional Official Plan Amendments and Zoning By-law amendments will be a requirement prior to development of a given site.

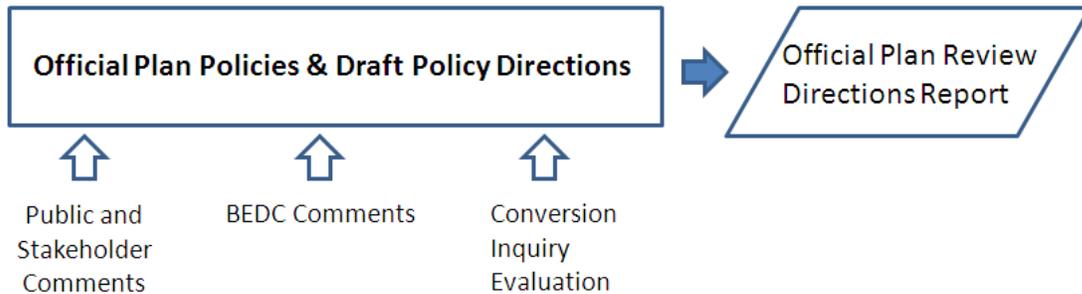
The Official Plan Amendment detailing the policy modifications that are developed through this Official Plan Review will be presented to Council in Q4, 2015. The policies will be adopted by Council some time after that and will be presented to the Region for approval. It is important to remember that the policies that emerge from the findings of the Official Plan Review are also subject to appeal to the Ontario Municipal Board. While the timelines for this preliminary assessment are quite clear the timelines for approval of the policies, including, if any, modifications to the City’s employment lands are not as clear.

6.0 Timeline and approach

- Seek endorsement from Council for the proposed employment land conversion request assessment process and to commence the conversion request evaluation. (subject report)
- Employment Lands Council Workshop (Completed: May 6, 2014)
- Post the approach and deadline for employment land conversion request submissions in national and local newspapers establishing the deadline of August 1, 2014 for identification of interest and October 1, 2014 for the submission of any additional information required to consider the conversion request.
- Present the draft policy directions for Council endorsement for consultation and for use in the consideration of employment conversion request by Q3, 2014.
- Schedule formal opportunity to present and discuss the draft directions presented in the future draft policy directions report to collect public and stakeholder comments.
- From August 1 – Q1, 2015 conduct employment land conversion request assessment for presentation to Council in Q1 2015 along with final directions for employment lands policies.

Strategy/Process

Over the next eight to twelve months analyze employment land conversion requests, consult on draft employment policy directions and report back on both to Council in early 2015. The analysis will employ:



Options Considered

N/A

Financial Matters:

N/A

Source of Funding

N/A

Other Resource Impacts

Staff time will be required to research and review employment conversion requests and report to Council in relation to the Official Plan Review.

Public Engagement Matters:

Advertisement of the opportunity to have employment conversion requests considered through the municipal comprehensive review will be provided to employment lands stakeholders, and will be posted in local and national newspapers and on the City's webpage.

Standard meetings will be scheduled to discuss all complete conversion inquiries after August 1, 2014 deadline.

The Draft Policy Directions will be presented for Council endorsement in Q3 of 2014 and public consultation will be held in Q4 of 2014.

Conclusion:

Planning Staff support the conversion analysis process and timeline presented. The evaluation framework and various inputs identified in this report will contribute to developing a report to be presented to assist Council on the Employment Lands Policies and the review of employment conversion requests.

Respectfully submitted,

Alison Enns, Senior Planner
905 335 7600 ext. 7787

Appendices:

- A. Draft Official Plan Employment Land Conversion Policies showing modifications

Notifications: (after Council decision)

Name:	Mailing or E-mail Address:
Region of Halton	

Approved by:

Scott Stewart, General Manager of Dev. and Infrastructure

Reviewed by: