

## Report to Council

**Report Title:** Approval of Land for Ministerial Zoning Order

**Prepared By:** Fiona Hamilton, Clerk, Sonya Watson, CAO and Dieter Wertz, CBO

**Department:** Administration

**Date:** December 14, 2021

**Report Number:** CAO2021-34                      **File Number:** C11AD, D02EA

**Attachments:** Map of Proposed Lands for Inclusion in MZO

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### Recommendation:

That the Council of the Municipality of Brockton hereby approves Report Number CAO2021-34 - Approval of Land for Ministerial Zoning Order, prepared by Fiona Hamilton, Clerk, Sonya Watson, Chief Administrative Officer and Dieter Wertz, CBO and approves including Lots 1, and 6-10 in the proposal to be circulated amongst the public, and commenting agencies prior to coming back for Council's review and approval of the final application for a Ministerial Zoning Order.

### Report:

#### Background:

Throughout 2020, Brockton Council and municipal staff have consistently worked to address the significant need to increase the amount and type of housing choices available to Brockton residents. One example of the efforts undertaken by Council and staff is the consideration of lands in or adjacent to the East Ridge Business Park as an opportunity to promote residential development in an area with municipal services, within walking distance of the downtown core, and with stunning natural views.

Despite the many advantages associated with areas of the East Ridge Business Park, ensuring the lands are appropriately zoned is one of the largest hurdles to constructing residential development in this area. The lands are currently zoned Industrial, and would require a planning report justifying removing the lands from an "employment" designation to a "residential" designation. The County of Bruce has recently undertaken a study indicating that while Brockton may need additional employment lands in the future, no changes to the current urban boundary were anticipated.

Given the underlying planning context, the challenge is to find a way to promote responsible residential development to address Brockton's housing needs in a manner that is fair to all developers, businesses and residents, while also ensuring Brockton's long-term economic health with a sufficient supply of employment

lands. Municipal staff are of the opinion that applying for a Ministerial Zoning Order for lots 1, and 6-10 as identified on the attached map (the “Lots”) is the appropriate tool to achieve these goals.

**Analysis:**

A Ministerial Zoning Order (“MZO”) is a planning tool that allows the Minister of Municipal Affairs and Housing to directly zone lands for specific purpose to by-pass the usual planning process and appeal periods.

Traditionally MZO’s have been used to support proposals for affordable housing, long-term care homes, and similar developments. An application for an MZO must include a resolution from Council requesting the Order, letter from the CAO, details about the lands and the proposed uses, and details of the consultation process with Indigenous Communities and other stakeholders.

At this time, staff are requesting Council’s direction with respect to approval of the attached map indicating which lots will, in principle, be included in the proposed MZO to be circulated to the commenting agencies including Bruce County Planning. Once the consultation period has ended, staff will bring forward the final proposal and all comments that were received for Council’s consideration to pass a resolution to approve applying for the MZO.

The proposed developments on lots 6-10 on the attached map are precisely the kinds of developments that have been successful in receiving MZO’s in the past. Lot 10 is proposed to include a retirement care home, Lots 8 and 9 will have multi-unit apartment buildings ( potential including some attainable housing units), Lot 7 is currently proposed to be a residential hospice facility and Lot 6 will be townhouses. All of these developments support a need in the community and help to increase the supply of alternative housing types in Brockton. All of these lands are currently zoned industrial and would need to be changed to a form of residential zoning. By proceeding with an MZO application, it saves each of these developers going through the planning process, preparing a justification report and meets the intent of Council and staff to assist in increasing the supply and types of residential units in the community to attract and retain local residents.

At the meeting on November 23, 2021, Brockton entered into an Agreement to purchase the lands shown as Lot 1 for future expansion of the industrial component of the East Ridge Business Park. The servicing in the Park could be extended to these lands which are in close proximity to major transportation routes. These lands are currently agricultural and are not in the urban boundary. The lands would need to be rezoned as “industrial”.

After speaking with the planning consultants, Monteith Brown Planning Consultants, staff recommend including lot 1 (along with lots 6-10) in the MZO application despite the different zoning as the lands are part of an overall development plan that shows the necessary long-term planning for employment lands has been addressed. The application would emphasize that by rezoning all these lands, Brockton has responsibly planned for long-term economic growth while also encouraging necessary residential uses of significant overall benefit to the community.

Once Council authorizes the proposed lots being included in the proposed MZO application at this preliminary stage, staff will circulate the proposal to all commenting agencies and local Indigenous Communities. All comments that are received through this process will be brought back for Council’s consideration before the final application is filed with the Minister.

## Sustainability Checklist:

What aspect of the Brockton Sustainable Strategic Plan does the content/recommendations in this report help advance?

- Do the recommendations help move the Municipality closer to its Vision? Yes
- Do the recommendations contribute to achieving Cultural Vibrancy? Yes
- Do the recommendations contribute to achieving Economic Prosperity? Yes
- Do the recommendations contribute to Environmental Integrity? Yes
- Do the recommendations contribute to the Social Equity? Yes

## Financial Impacts/Source of Funding:

- Do the recommendations represent a sound financial investment from a sustainability perspective? Yes

As MZO's are not common, the consultants were not able to provide a full estimate of the cost of completing the application. It is expected, however, that the application will still be more cost effective than separate applications to rezone all the parcels, including the comprehensive review that may otherwise be needed for Lot 1. Further, this may be the only way to achieve this conversion to "residential".

### Reviewed By:



Trish Serratore, Chief Financial Officer

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### Respectfully Submitted by:



Fiona Hamilton, Clerk



Sonya Watson, Chief Administrative Officer



Dieter Wetz, Chief Building Official