



City of
Peterborough

TO: Members of Planning Committee

FROM: Ken Hetherington, Manager, Planning Division

MEETING DATE: October 31, 2011

SUBJECT: Report PLPD11-079
The Official Plan and Other Levels of Government
Information Report

PURPOSE

A report to propose actions which can be taken to ensure other levels of government are aware of the policy direction of the Official Plan.

RECOMMENDATIONS

That Council approve the recommendations outlined in Report PLPD11-079 dated October 31, 2011, of the Manager, Planning Division, as follows:

- a) That Report PLPD11-079 be received.
- b) That staff request a meeting with the MP and the MPP to discuss alternatives for advising of municipal policy objectives, including pre-consultation with municipal officials as part of any future site selection processes, and the effect Provincial and Federal actions have on these municipal interests.

BUDGET AND FINANCIAL IMPLICATIONS

No budget or financial implications would result from the decision to approve the above recommendations.

BACKGROUND

At the August 4, 2011 City Council meeting, Council requested that staff prepare a report on how the City can work with different levels of government during these decision making processes to ensure that the merits of the Official Plan are upheld. The request came about as a result of the Federal Government's decision to move the Federal offices from the City's downtown core at 150 King Street to a new building being built at 1161 Crawford Drive.

Although the property at 1161 Crawford Drive was not subject to a planning application to facilitate the relocation because it was zoned for such a use in 1996, concerns were expressed by downtown businesses that the move of the Federal offices out of the City's Central Area was not in keeping with current Official Plan Policy.

The Central Area Master Plan approved by Council on May 25, 2009 recommended 22 strategies to help the Central Area achieve its full potential. The strategic direction of the Central Area Master Plan was adopted in the Official Plan with the approval of Official Plan Amendment No. 141 on May 25, 2009. One of these strategies was to confirm the priority functions of the Downtown worthy of protection as: Entertainment and Cultural Uses, Major Office Uses and Institutional Uses. Notwithstanding the fact that the new site selected for the new Federal Building was approved for such use in 1996, the decision to relocate the Federal offices from the downtown core to a more "suburban" area drew much criticism due to the importance of major office uses in the downtown expressed in the Official Plan. Furthermore, the Growth Plan for the Greater Golden Horseshoe specifically requires municipalities to intensify their Urban Growth Centres (downtowns) with residents and jobs. Some argued that the relocation of the Federal offices contradicted the municipal objective of keeping the downtown core healthy and vibrant and the provincial objective of requiring additional intensification in the Central Area.

ANALYSIS

Although legislatively neither the Federal or Provincial governments are obligated to consult with the municipality on local land use and Official Plan matters, it is Staff's opinion that consultation may result in the securing of locations that benefit all parties involved.

When the Federal government released the request for proposals for office space for the Federal office building, Public Works and Government Services Canada was completely responsible for the RFP and selection process to eliminate any possibility of conflict of interest. It is an administrative, staff administered process and the politicians (MPs) are purposely not included in the process. In the case of the RFP for the Peterborough Federal offices, the local Member of Parliament was not consulted nor specifically made aware of the RFP process. The City has no authority to recommend to the Federal government that their administration process for carrying on business should be amended.

While recommending changes to their administrative process is not appropriate, a meeting with the Federal and Provincial representatives to explain municipal policy objectives that may have implications for the other levels of government would be beneficial. It could be treated as an information sharing exercise to ensure that the Federal and Provincial governments are aware of local planning policy such as the Master Plan for the Central Area. While this approach may not prevent similar situations as the relocation of the Federal offices out of the downtown core, the City can at least make sure the Federal and Provincial officials are well aware as to the implications of such decisions.

In addition to a meeting with the MP and MPP, staff is also recommending that the MP and MPP be asked if a discussion with municipal officials could be made a formal part of any government site selection process. For example, when the Province made the decision in the early 1990s to relocate the head office of the Ministry of Natural Resources (MNR) to Peterborough, there was considerable dialogue with the City regarding the best possible location from a municipal perspective. After much discussion and work, the City was successful in seeing the Province secure a Downtown location for the Ministry offices. As a result, considerable public and private investment in Peterborough's Downtown has continued to this day.

Staff has also been informed that the Province is presently undertaking a functional programming study to review a potential consolidated courthouse in Peterborough. Presently the City leases 70 Simcoe Street to the Ministry of the Attorney General for the use by the Ontario Court of Justice and the City uses courtroom space for the administration of the POA Court. This lease is to expire in 2015. Legal and POA Staff attended a stakeholder consultation in August 2011, however, the spatial needs of the Provincial Offences Office will not be considered since the administration of the POA Court was downloaded to the municipality in 2000.

If a discussion with municipal officials could be built into any future site selection processes that the Federal or Provincial governments are contemplating, perhaps success stories such as the MNR relocation could result.

Submitted by,

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