



## Community Planning, Regulation and Mobility Committee-Public Meeting Agenda

**Date:** September 22, 2020  
**Time:** 6:30 p.m.  
**Location:** Council Chambers - members participating remotely

### Pages

#### 1. **Declarations of Interest:**

#### 2. **Statutory Public Meetings:**

Statutory public meetings are held to present planning applications in a public forum as required by the Planning Act.

- 2.1 Statutory public meeting and recommendation report for a zoning by-law amendment for 961 & 970 Zelco Drive and 4425 South Service Road (PL-50-20)

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#### 3. **Delegation(s):**

Due to COVID-19 this meeting will be conducted virtually. Only the chair of the meeting, along with a clerk and audio/visual technician, will be in council chambers, with all other staff, members of council and delegations participating in the meeting remotely. The meeting will be live webcasted, as usual, and archived on the city website.

Requests to delegate to this virtual meeting can be made by completing the online delegation registration form at [www.burlington.ca/delegate](http://www.burlington.ca/delegate) by submitting a written request by email to the Clerks Department at [clerks@burlington.ca](mailto:clerks@burlington.ca) by noon the day before the meeting is to be held. All requests to delegate must contain a copy of the delegate's intended remarks which will be circulated to all members of committee in advance as a backup should any technology issues occur.

If you do not wish to delegate, but would like to submit feedback, please email your comments to [clerks@burlington.ca](mailto:clerks@burlington.ca). Your comments will be circulated to committee members in advance of the meeting and will be attached to the minutes, forming part of the public record.

#### 4. **Consent Items:**

Reports of a routine nature, which are not expected to require discussion and/or

debate. Staff may not be in attendance to respond to queries on items contained in the Consent Agenda.

**5. Regular Items:**

- |     |   |         |
|-----|---|---------|
| 5.1 | Submission on Region of Halton's Official Plan Discussion Papers (PL-28-20) | 18 - 74 |
|-----|---|---------|

**6. Confidential Items:**

Confidential reports may require a closed meeting in accordance with the Municipal Act, 2001. Meeting attendees may be required to leave during the discussion.

**7. Procedural Motions:**

**8. Information Items:**

**9. Staff Remarks:**

**10. Committee Remarks:**

**11. Adjournment:**



**SUBJECT:** Statutory public meeting and recommendation report for a zoning by-law amendment for 961 & 970 Zelco Drive and 4425 South Service Road

**TO:** Community Planning, Regulation & Mobility Cttee.-PM

**FROM:** Community Planning Department

Report Number: PL-50-20

Wards Affected: 4

File Numbers: 520-06/20

Date to Committee: September 22, 2020

Date to Council: September 28, 2020

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### **Recommendation:**

Direct staff to continue to work with the applicant (UrbanSolutions Planning and Land Development Consultants Inc) in regards to the submitted zoning by-law amendment application for 961 & 970 Zelco Drive and 4425 South Service Road, Burlington, ON.

### **PURPOSE:**

The purpose of this report is to provide background information for the Statutory Public Meeting for this Zoning By-law Amendment application and to seek direction from Council to continue working with the applicants in an effort to bring forward a subsequent supportive recommendation report.

### **Vision to Focus Alignment:**

The following objectives of *2018 – 2022 Burlington's Plan: From Vision to Focus* apply to the discussion and consideration of the subject application:

- Increase economic prosperity and community responsive city growth
  - Support sustainable infrastructure and a resilient environment
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<b>RECOMMENDATION:</b>		Continue to work with applicants	<b>Ward:</b>	4
<b>Application Details</b>	<b>APPLICANT:</b> <b>OWNER:</b> <b>FILE NUMBERS:</b> <b>TYPE OF APPLICATION:</b> <b>PROPOSED USE:</b>	UrbanSolutions Planning & Land Development Consultants Inc. Giampaolo Investments Ltd. 520-06/2020 Zoning By-law amendment Industrial metal recycling facility to provide motor vehicle wrecking services excluding vehicle crushing		
<b>Property Details</b>	<b>PROPERTY LOCATION:</b> <b>MUNICIPAL ADDRESSES:</b> <b>PROPERTY AREA:</b> <b>EXISTING USE:</b>	South-west of the Queen Elizabeth Way and Appleby Line intersection, north of Harvester Road and East of South Service Road. 961 & 970 Zelco Drive and 4425 South Service Road 2.33 ha (23,316 sqm) Industrial metal recycling facility		
<b>Documents</b>	<b>OFFICIAL PLAN Existing:</b> <b>OFFICIAL PLAN Proposed:</b> <b>ZONING Existing:</b> <b>ZONING Proposed:</b>	“Employment lands – General Employment” “Employment lands – General Employment” General Employment (GE1) General Employment (GE1) – Site Specific		
<b>Processing Details</b>	<b>APPLICATION RECEIVED:</b> <b>STATUTORY DEADLINE:</b> <b>NEIGHBOURHOOD MEETING:</b> <b>PUBLIC COMMENTS:</b>	General Employment General Employment No applicable 2 written comments received		

## **Background and Discussion:**

On July 2, 2020 the Department of Community Planning received a complete application for a Zoning By-law 2020 amendment for 961 & 970 Zelco Drive and 4425 South Service Road (the “subject lands”). The purpose of the application is to permit a proposed *motor vehicle wrecking yard* which is currently a prohibited use under the zoning GE1 of the property. There is no new development planned for the subject lands, with the exception of a proposed mobile drainage collection system.

### **Site Description**

The subject lands are located south-west of the Queen Elizabeth Way and Appleby Line intersection, north of Harvester Road and east of South Service Road. The lands are composed of three parcels municipally known as 961 & 970 Zelco Drive and 4425 South Service Road with a combined area of 2.33 ha. The lands are in a location designated as General Employment in the City’s Official Plan, and zoned General Employment (GE1) in the City’s Zoning By-law 2020, as amended. The location and zoning of the subject lands is illustrated in Appendix A to this report.

Currently, there is a metal recycling facility on the subject lands which has been operating for over 25 years. 961 Zelco Drive has an area of approximately 0.39 ha, a frontage of approximately 32 m along Zelco Drive and an existing 2 storey building with an area of approximately 1,210 sqm. 970 Zelco Drive has area of approximately 0.39 ha, a frontage of approximately 20 m along Zelco Drive and currently does not contain structures or buildings. 4425 South Service Road has an area of approximately 1.55 ha, a frontage of approximately 107 m along South Service Road and a 2-storey structure located in the southern portion of the property with an approximate gross floor area of 122 sqm. Surrounding land uses include:

- North: Abutting the subject lands to the north are two buildings of approximately 2 storeys including corporate offices and industrial uses.
- East: Abutting the subject lands to the east are 2 buildings of approximately 1 storey for industrial uses.
- South: Abutting the subject lands to the south are two buildings of approximately 1 storey for industrial uses.
- West: Abutting the subject lands to the west is South Service Road, across the road is a building of approximately 1 storey for vehicle repair services and a yard for equipment rental services.

### **Description of Application and Processing History**

UrbanSolutions Planning & Land Development Consultants have made an application for a Zoning By-law Amendment on behalf of Giampaolo Investments for the subject lands. A Zoning By-law Amendment is an instrument provided to municipalities under

Section 34 of the *Planning Act* which allows residents to request a change to the Zoning By-law regulations in case the proposed development is not in accordance with the regulations. In this case, the proposed *motor vehicle wrecking yard* is prohibited in the General Employment (GE1) zone under Zoning By-law 2020, and as a result, the applicant is requesting a Zoning By-law amendment to facilitate the development.

### **Technical Reports**

The following information and plans were submitted in support of the application. This information can also be accessed online at: [www.burlington.ca/961zelcodrive](http://www.burlington.ca/961zelcodrive)

- [Planning Justification Report](#) Prepared by UrbanSolutions Planning & Land Development Consultants dated February 14, 2020
- [Conceptual Site Plan Layout and Site Survey](#) Prepared by UrbanSolutions Planning & Land Development Consultants dated October 11, 2019
- [Revised Conceptual Site Plan Layout and Site Survey](#) Prepared by UrbanSolutions Planning & Land Development Consultants dated August 6, 2020
- [Addendum Concept Plan](#) Prepared by UrbanSolutions Planning & Land Development Consultants dated October 17, 2019
- [Stormwater management Brief](#) Prepared by MTE Consultants dated April 15, 2020
- [Scoped Functional Servicing Report](#) Prepared by MTE Consultants dated February 7, 2020
- [Traffic Impact Brief](#) Prepared by RC Spencer Associates dated October 29, 2019
- [Updated Transportation Memo](#) Prepared by RC Spencer Associates dated August 6, 2020
- [Noise Impact Study](#) Prepared by HGC Engineering dated January 22, 2020
- [Environmental Site Screening Checklist](#) Prepared by UrbanSolutions Planning & Land Development Consultants dated January 22, 2020
- [Environmental Compliance Approval Confirmation](#) Prepared by Ministry of the Environment, Conservation and Parks dated January 31, 2020
- [Grading and Servicing Plan](#) Prepared by MTE Consultants dated November 5, 2019
- [Plan of Survey](#) Prepared by MTE Consultants dated October 7, 2019
- [PIN Report](#) Prepared by ServiceOntario dated September 18, 2019
- [Fire Access Route Plan](#) Prepared by MTE Consultants dated January 22, 2020
- [Zoning By-law Amendment Application Form](#) Prepared by UrbanSolutions Planning & Land Development Consultants dated February 6, 2020
- [Stormwater Management Brief](#) Prepared by MTE Consultants dated August 11, 2020

- [Stormwater Management Plan](#) Prepared by MTE Consultants dated August 11, 2020
  - [Signed Cover Letter for Transportation Documents](#) Prepared by UrbanSolutions Planning & Land Development Consultants dated August 7, 2020
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## **Policy Framework**

The application for an amendment to the Zoning By-law is subject to the following policy framework:

### **Provincial Policy Statement (2020)**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development in Ontario. Moreover, it provides policies for development based on efficient use of land and infrastructure, protection of natural resources, protection of public health and safety, and residential and employment area development including a range and mix of uses. The PPS is issued under Section 3 of the *Planning Act* and requires that decisions affecting planning matters made on or after May 1, 2020 “shall be consistent with” the PPS. The following PPS policies apply to the Zoning By-law Amendment application for the subject lands.

Policy 1.1.3.1 identifies *Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted*. The subject lands are located within the Urban Planning Area Boundary according to Schedule A of the City’s Official Plan, and therefore are located within a settlement area. Policy 1.1.3.2 further explains that land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) Efficiently use land and resources;
- b) Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid their unjustified and or/uneconomical expansion;
- c) Minimize negative impacts to air quality and climate change, and promote energy efficiency;
- d) Prepare for the impacts of a changing climate
- e) Support active transportation; and,
- f) Are transit-supportive, where transit is planned, exists or may be developed.
- g) Are freight supportive

The subject lands are of employment nature including both office and industrial uses. The proposed Zoning By-law amendment would allow an additional use to assist in promoting a range and mix of employment land uses and in protecting employment lands. Prohibiting the existing and proposed use to operate would be an inefficient use

of the land and the physical resources that are currently in place on the subject lands. The development utilizes existing municipal infrastructure and does not propose any additional expansion to the infrastructure through this application. Additionally, the operation of the existing and proposed uses on the subject lands will support the viability of the public transit routes along the intersection of Zelco Drive and Harvester Road. The subject lands are located on the periphery of Queen Elizabeth Way, a provincial highway utilized as a major goods movement corridor which helps support the transportation of major goods from the subject lands.

Policy 1.2.6.1 identifies that major facilities and sensitive land uses shall be planned and developed to avoid or minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities. Engineering staff have advised that the proposed mobile unit is self-contained and has a spill tray; the site has emergency spill protocol in place, and two functioning oil grit separators that have been certified by the civil engineer as in good working condition. Additionally, engineering staff have no concerns of noise impact as per the review of the noise impact study submitted by the applicant. Further, the applicant has confirmed a vehicle crushing unit, which could cause noise impacts, is not proposed.

Policy 1.3.2.2 identifies that employment areas planned for industrial and manufacturing uses shall provide for separation or mitigation from sensitive land uses to maintain the long-term operational and economic viability of the planned uses and function of these areas. Similarly, policy 1.3.2.3 identifies that within employment areas planned for industrial or manufacturing uses, residential uses shall be prohibited and prohibit or limit other sensitive land uses that are not ancillary to the primary employment uses. The subject lands and the immediate surrounding parcels are designated “Employment Lands – General Employment” on Schedule B – Urban Area of the City’s Official Plan. As a result, the existing area contains employment uses including industrial and office spaces. The application for a Zoning By-law amendment does not propose any new development on the subject lands, and rather seeks to permit a *motor vehicle wrecking yard* use within the existing GE1 zone (General Employment). Additionally, the proposed subject lands are sufficiently separated from sensitive land uses as the nearest residential area is approximately 750 m south from the subject lands.

### **Growth Plan for the Greater Golden Horseshoe (2019)**

The Growth Plan for the Greater Golden Horseshoe (Growth Plan) provides specific growth management policy direction for the Greater Toronto and Hamilton Area (GTHA) and focuses on development in the existing urban areas through intensification. The guiding principles of the Growth Plan include building complete communities that are vibrant and compact, and utilizing existing and planned infrastructure to support growth in an efficient and well-designed form. As noted earlier, there is no new development



planned for the subject lands and the Zoning By-law Amendment is required to allow for a *motor vehicle wrecking yard*. The following Growth Plan policies apply to the Zoning By-law Amendment application for the subject lands:

One of the growth plan's guiding principles is to *provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries*. Similarly, Policy 2.2.5 1. a) identifies that *Economic development and competitiveness in the GGH will be promoted by making more efficient use of existing employment areas and vacant and underutilized employment lands and increasing employment densities*. The Zoning By-law amendment will allow for the additional use of a *Motor Vehicle Wrecking Yard* on the subject lands and hence expand the subject land services for a more efficient use of the existing infrastructure.

Policy 2.2.5 8) identifies that Municipalities may identify employment areas located near major goods movement corridors, including major highway interchanges, as prime employment areas and plan for their protection for appropriate employment uses over the long-term. The plan identifies this can be achieved by prohibiting residential, institutional, sensitive land uses, and retail and office uses not associated with or ancillary to the primary use, as well as to plan for freight-supportive land use patterns.

The proposed *Motor Vehicle Wrecking Yard* use will maintain the subject lands as employment lands. Sensitive land uses such as residential and institutional uses as well as retail and office uses that are not associated with the primary employment use will not be established.

### **Region of Halton Official Plan**

The subject lands are designated as *Urban Area* according to the Regional Official Plan (ROP) (identified on Map 3 of the ROP). The Urban Area objectives promote growth that is compact and transit supportive with an appropriate range and balance of employment uses including industrial uses to meet long-term needs. The Urban Area (Section 77) policies support increased densities and intensification of uses within these areas subject to Local Official Plan policy and direction. The ROP also identifies that the proper integration of intensification with the surrounding neighbourhoods through urban design is supported.

Furthermore, the subject lands are within the *Employment Area - overlay* (identified on Map 1 of the ROP). The Employment Area objectives aim for the protection of this designation in order to ensure the availability of sufficient land for employment to accommodate forecasted growth and support economic competitiveness. Furthermore, the plan aims for the Employment Area to be in the vicinity of existing major highway interchanges and rail yards within the Urban Area.

### **City of Burlington Official Plan**

The subject lands are designated *Employment Lands – General Employment* on Schedule B – Urban Area of the City’s Official Plan. The surrounding area is all designated *Employment Lands – General Employment* except for the property located north of 961 Zelco Drive which is designated as *Employment Lands - Business Corridor*, which permits employment uses including office and industrial uses. As per policy 3.3.2 a), the General Employment designation permits a broad range of employment uses including:

- i) industrial uses that involve assembling, fabricating, manufacturing, processing, warehousing and distribution uses, repair activities, communications, utilities, transportation, storage, service trades and construction uses; office uses; research and information processing; recreational uses; large scale motor vehicle dealerships; and adult entertainment uses.
- ii) A limited range of retail and service commercial uses
- iii) In locations adjacent to residential areas only uses that would have limited impact on the surrounding area.
- iv) A residence for a watchman or caretaker

Additionally, policy 3.3.1 b) aims to separate General Employment areas from other sensitive land uses, particularly residential, due to potential negative effects. The subject lands as well as the surrounding properties are designated Employment Lands and are located sufficiently distant from residential uses, at approximately 750 m north from the nearest residential designated area. Therefore, the proposed use poses no impact onto the nearest residential neighbourhoods.

The Official Plan policy 3.3.2 f) also identifies general site plan considerations to ensure compatibility between the expanding General Employment uses and adjacent land uses. The considerations listed which apply to the subject lands are:

- Off-street parking shall be located away from adjacent uses
- Loading areas shall be located to avoid conflict between pedestrian and vehicular traffic away from adjacent residential areas and adjoining roads;
- Off-street parking areas, loading areas and site service areas shall be screened and landscaped
- Outdoor storage areas shall be fenced and/or screened
- The number and location of vehicular access points shall be limited to minimize disruption to traffic flows
- The proposal provides convenient access to public transit services

The existing off-street parking is located within 961 Zelco Drive and adjacent to Zelco Drive, with one of the existing loading spaces adjacent to property 4450 Paletta Court which is also designated and zoned as General Employment. The subject lands are

currently screened by an opaque metal fence of approximately 3 m in height. There is no fence on the entrance located on 961 and 970 Zelco Drive and there is a metal fence that is not opaque on the property line which abuts property 4450 Paletta Court. Additionally, the applicant is proposing to close the access point located on 4425 South Service Road with a continuation of the existing fence line and will utilize the entrance on Zelco Drive for access to the site.

In terms of public transit accessibility, the nearest transit routes include bus stops along the intersection of Zelco Drive and Harvester Road, which are located approximately 350 m from the subject lands.

### **City of Burlington Adopted Official Plan, 2018**

The City's proposed New Official Plan was adopted by Council on April 26, 2018 and has been developed to reflect the opportunities and challenges facing the City as it continues to evolve. Halton Region has identified areas of non-conformity, and as such, the adopted Official Plan will be subject to additional review and revision prior to its approval. Further, City Council voted to re-examine the policies in Burlington's Official Plan and directed a new staff review and public engagement process to consider potential modifications, including a review of height and density provisions.

### **City of Burlington Zoning By-law**

The subject lands are zoned General Employment (GE1) in the City's Zoning By-law 2020. The GE1 zone permits a broad range of office and industrial uses including a recycling facility, however a *motor vehicle wrecking yard* is a prohibited use due to possible noise, contamination and compatibility concerns. A *motor vehicle wrecking yard* is defined in Zoning By-law 2020 as "an area outside of a building where motor vehicles are disassembled, dismantled, or junked, or where inoperable motor vehicle or parts of motor vehicles are stored". The properties surrounding the subject lands are zoned GE1 except for the property located north-west of 961 Zelco Drive which is zoned as Business Corridor (BC1). The BC1 zone permits similar employment uses in comparison to the GE1 zone including office and industrial uses.

The parking rate of the subject lands is 1 parking space per 100 sqm of Gross Floor Area (GFA). Based on the approximate GFA of the buildings, the required parking rate is 11 parking spaces, including 1 accessible space. Additionally, for every building which use is part of the principal use on the subject lands a loading space is required. The proposed concept does not meet the Zoning By-law 2020 parking requirements and so at this time City staff are seeking direction in order to continue to work with the applicant to resolve this matter.

## **Technical Review:**

### **City of Burlington – Site Engineering**

It is Site Engineering's understanding and was confirmed by the Applicant during the ZBA process, that a vehicle crushing unit is not proposed. Further, the application is to allow the installation of a mobile drainage collection system (only), where fluids would be removed from the vehicles then the vehicles will be removed off site for crushing. If in the future a crushing unit is proposed Site Engineering staff would ask that a new Zoning By-Law Amendment application be required, where the Noise Impact Study would need to be updated to address the crushing equipment, and the Applicant would need to provide confirmation that there is a Ministry of Environment approval/registration document for crushing equipment, and/or a security provided until such time as the MECP registration document is available. If Council approves the application, Site Engineering would recommend that the zoning by-law be written to explicitly not allow vehicle crushing equipment on the properties, and only allow for disassembling vehicles (tires, interior, etc.), and the collection of fluids in the mobile drainage station, then the vehicles would be transported off site for crushing. Additionally, Site Engineering would ask that a security be taken in the amount of \$10,000 prior to a building permit issuance for the installation of the drainage station which would be released upon certification from HGC Engineering that the drainage station was installed in accordance with the Noise Impact Study.

### **Parks and Open Space & Landscaping**

No comments

### **City of Burlington – Transportation Planning**

Transportation Planning staff requested applicant to provide the following information:

- The parking layout and all dimensions on the site plan.
- To show truck turning templates for site circulation.
- The ITE land use code used in the traffic brief to estimate the additional site trips for staff to verify.

The applicant has addressed these comments and provided the requested information on August 7, 2020. Transportation have reviewed the revised documents and have no further comments or concerns.

### **Halton Region**

Regional Planning Staff have reviewed the subject applications within the context of Provincial planning documents and Regional Official Plan (ROP) and offer no objection to the proposed amendments.

## **Burlington Transit**

No comments.

## **Burlington Economic Development Corporation**

No comments.

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## **Financial Matters:**

In accordance with the Development Application Fee Schedule, all fees determined have been received.

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## **Engagement Matters:**

### **Public Circulation**

The application was subject to the standard circulation requirements. A public notice and request for comments was circulated on July 6, 2020 to 211 surrounding property owners/tenants. Two public notice signs were placed on the property, one facing Zelco Drive and another facing South Service Road which provided details about the application. All studies and supporting materials were posted on the City's website at [www.burlington.ca/961zelcodrive](http://www.burlington.ca/961zelcodrive).

### **Public Comments**

Since the public circulation was issued in July 2020, Planning Staff have received correspondence from 2 members of the public regarding the requested Zoning By-law Amendment. The public comments that were received are included as Appendix C to this report.

The general themes expressed in the comments are as follows:

<b>Public Comment</b>	<b>Staff Response</b>
Subject lands are intended for office, commercial and residential uses and their intensification. The subject lands and abutting properties including 4450 and 4480 Paletta Court are included in the Appleby GO Mobility Hub.	<p>The applicable Provincial, Regional, and Local policies do not encourage residential uses within or surrounding the subject property, but do encourage industrial and office uses.</p> <p>The subject lands and the parcel which abuts the property to the north, municipally known as 4450 Paletta Court, are not within the Appleby GO Mobility Hub Study Area, as identified in the Adopted Official Plan, and Halton Region is currently in the process of delineating the boundaries of Major Transit</p>

	<p>Station Areas throughout the Region. Furthermore, the subject lands neither abut the property at 4480 Paletta Court (which is found within the Appleby GO Mobility Hub boundary) nor the Study Area Boundary. Therefore, any draft policies related to the Mobility Hub Study are not found applicable to the Zoning By-law Amendment application.</p>
<p>Proposed use is incompatible with the surrounding land uses which impact opportunities for other sites in the area to develop into high class office uses.</p>	<p>The immediate properties adjacent to the subject lands are all designated <i>Employment Lands – General Employment</i> except for the property located north of 961 Zelco Drive, which is designated as <i>Employment Lands - Business Corridor</i>. Additionally, the immediate properties adjacent to the subject lands are all zoned GE1 under Zoning By-law 2020 except for the property located north-west of 961 Zelco Drive which is zoned as BC1. The BC1 zone permits similar employment uses in comparison to the GE1 zone including office and industrial uses. Although the specific Official Plan designations and Zoning of the properties located north of 961 Zelco Drive are different, the nature of these and all the surrounding properties is of an employment nature. As a result, the subject land's proposed use is compatible with the surrounding uses and the planned context of the area.</p>
<p>Potential environmental and ground contamination.</p>	<p>Engineering staff have been made aware of the environmental related concerns received from public comments and have stated that <i>the mobile unit is self-contained, has a spill tray, the site has emergency spill protocol in place, and two functioning oil grit separators on site that have been certified by the civil engineer as in good working condition</i>. Additionally, since the Region of Halton also comments on matters relating to environmental concerns, more information will be provided on potential environmental and ground contamination in a future recommendation report.</p>
<p>Often truck traffic, disregard of speed limit and dangerous truck maneuvering/turning on Zelco Drive.</p>	<p>At the request of transportation staff, the applicant has provided further information regarding the access and circulation of vehicles on subject lands. The applicant's transportation engineer has advised that based on the submitted studies to City staff <i>this development will not have an adverse effect on traffic operations on Harvester Road at Zelco Drive</i></p>

	<p>and that <i>queuing on Zelco Drive is not anticipated to exceed three vehicle lengths.</i></p> <p>Transportation staff have been made aware of the transportation related concerns received from the public comments, have reviewed the submitted studies and have identified no concerns.</p>
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### **Conclusion:**

This report provides a description of the development application, an update on the technical review of the application and advises that public comments have been received. Planning staff recommend that Council direct staff to continue to work with the applicant to resolve the outstanding issues outlined in this report and bring back a subsequent recommendation report staff work with the applicant to resolve the outstanding technical matters.

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Respectfully submitted,

Mariana Da Silva

Planner I

905-335-7600 ext. 7536

### **Appendices:**

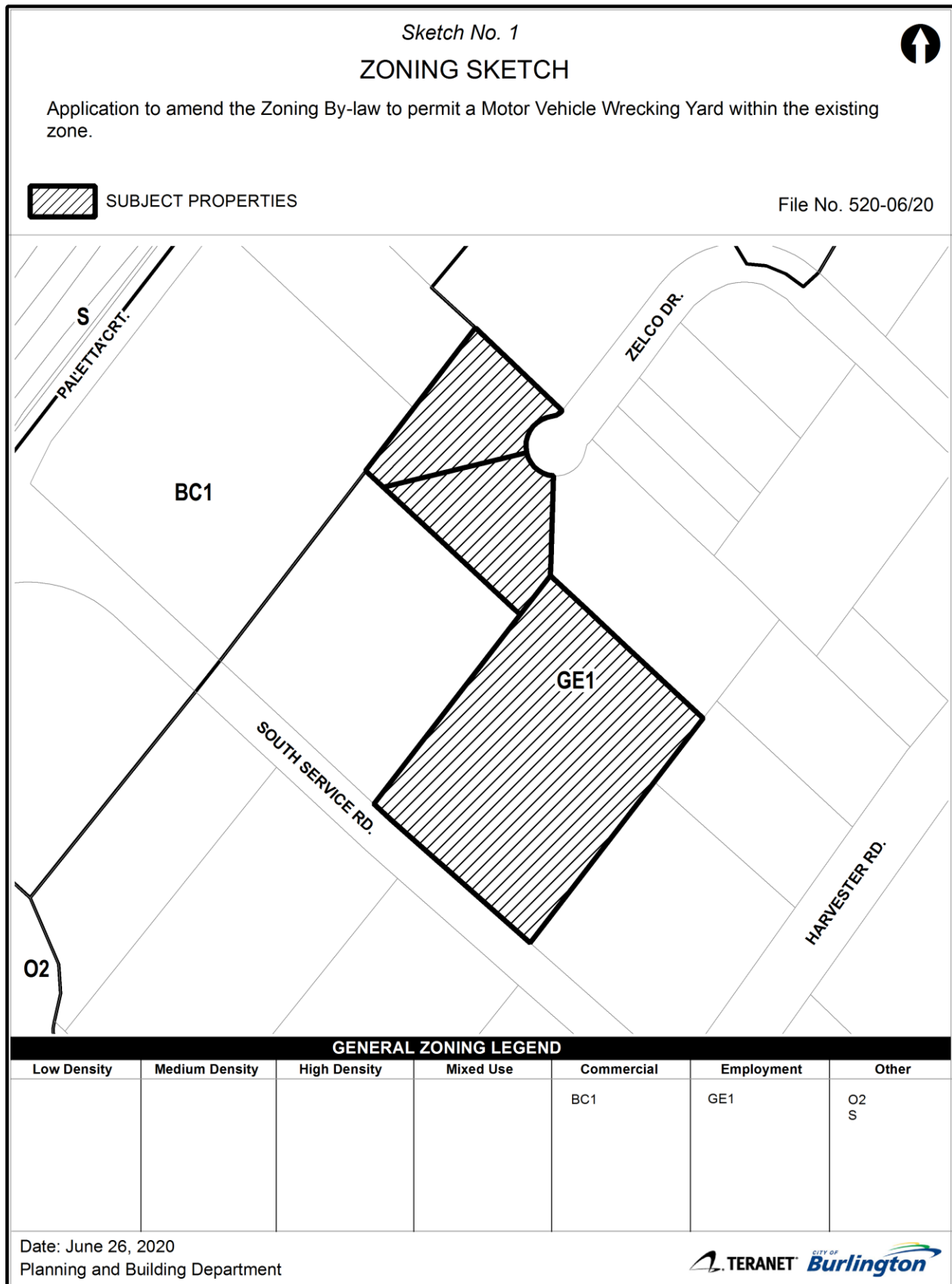
- A. Location/Zoning Sketch
- B. Detail Sketch
- C. Public Comments

### **Notifications:**

Matt Johnston, UrbanSolutions Planning and Land Development Consultants Inc.  
[mjohnston@urbansolutions.info](mailto:mjohnston@urbansolutions.info)

### **Report Approval:**

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Council.





Sketch No. 2  
DETAIL SKETCH

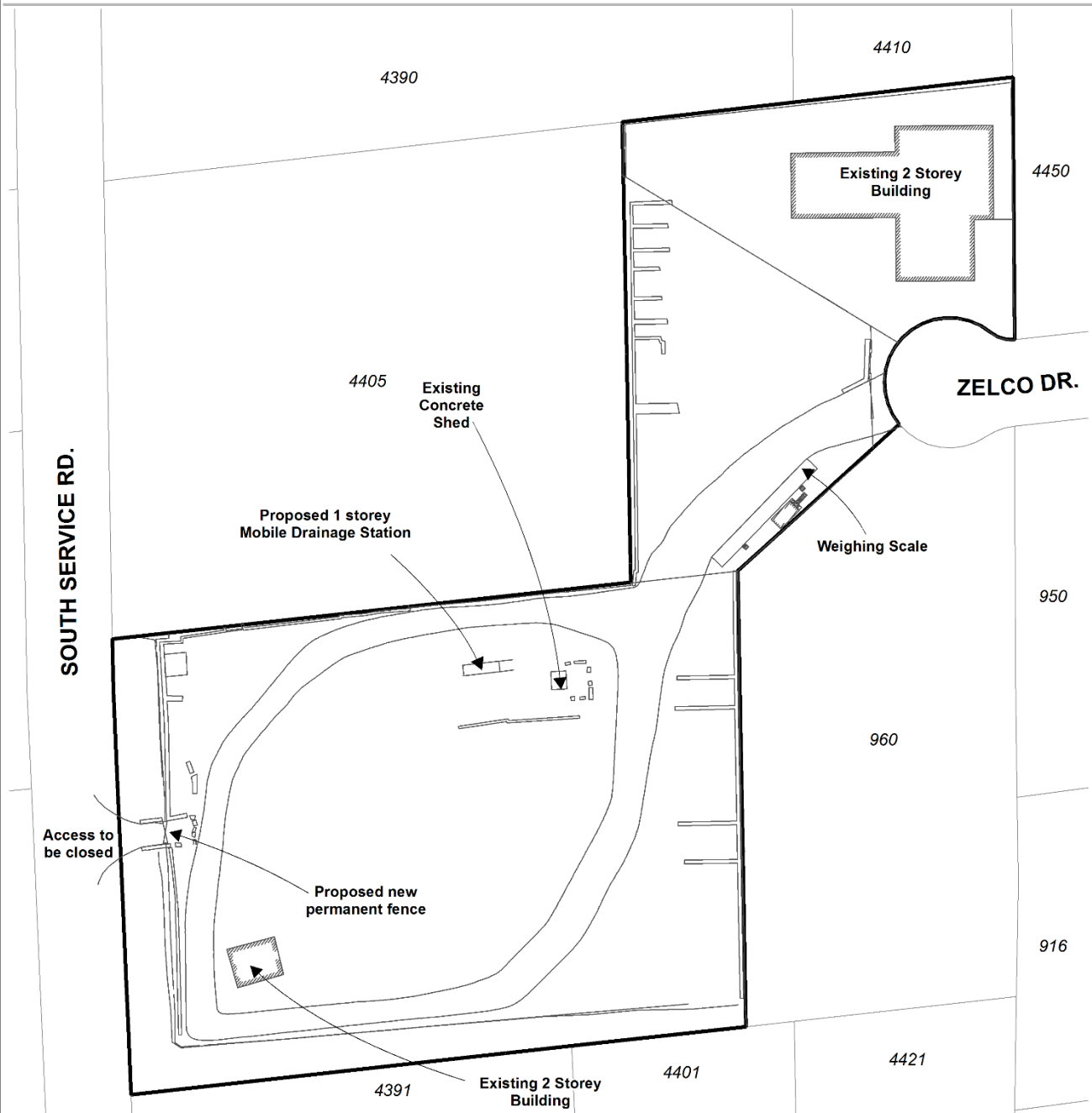


Application to amend the Zoning By-law to permit a Motor Vehicle Wrecking Yard within the existing zone.



SUBJECT PROPERTY

File No. 520-06/20



Date: June 30, 2020  
Planning and Building Department



Penta Properties Inc., 4450 Paletta Court, Burlington, Ontario L7L 5R2

July 22, 2020

Mariana Da Silva  
City of Burlington  
Planning & Building Department  
426 Brant Street  
Burlington, Ontario  
L7R 3Z6

*\*\* Submitted by email to [mariana.dasilva@burlington.ca](mailto:mariana.dasilva@burlington.ca) \*\**

Dear Ms. Da Silva:

**Re: 961 & 970 Zelco Drive and 4425 South Service Road (File 520-06/20)**

We are in receipt of the Notice of Planning Application for the proposed Zoning By-law Amendment for the properties located at 961 & 970 Zelco Drive and 4425 South Service Road, and would like to express our opposition to this application.

We own the adjacent lands at 4450 and 4480 Paletta Court which directly abut the subject property, and are in large part included within the Appleby GO Mobility Hub boundary. As you know, Mobility Hubs and major transit station areas are considered by the Province as important higher density mixed-use growth nodes where future prestige office, commercial and residential uses will allow for the development of complete communities within close proximity to transit stations. While we understand some of the local planning policies and zoning designations for these hubs remain under review, the general intent of the future of these areas is clear.

Permitting a motor vehicle wrecking yard right next to a Mobility Hub will have a negative impact on the ability of surrounding landowners to achieve the Province's vision due to incompatible land uses and potential environmental and ground contamination. The approval of these lands years ago as a salvage yard has done nothing to improve the area, and in fact has hindered many opportunities for high class office development because of this unsightly use. While we agree this type of land use should be permitted somewhere in the city, this is not the proper location as even the current use is not compatible with the surrounding prestige light industrial and office buildings.

As the Province and City of Burlington are placing an emphasis on future growth and intensification within the Mobility Hubs and major transit stations areas, it is important that the planning of these areas and surrounding land uses are supportive of that vision.

Please include us on the distribution list for the eventual notice of decision so that we may take appropriate action as needed to ensure our interests and the interests of the City of Burlington are protected.

Yours truly,  
**PENTA PROPERTIES INC.**

  
Dave Pitblado  
Director, Real Estate Development

**Da Silva, Mariana**

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**From:** Kathy Fatt <[REDACTED]>  
**Sent:** Wednesday, July 29, 2020 9:04 AM  
**To:** Da Silva, Mariana  
**Cc:** 'Christina Murdoch'  
**Subject:** 961 & 970 Zelco Drive and 4425 South Service Road

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Mariana

RE: File 520-06/20 – 961 & 970 Zelco Drive and 4425 South Service Road

This application for a zoning amendment has only recently come to our attention and I would like to voice our major concern which is traffic.

There is often a line of trucks waiting to enter the facility (referenced above) causing the constant stream of transport trucks on this short road which often disregard the speed requirement. This is an additional danger when they are trying to maneuver the curve in the road.

It can be a difficult and dangerous situation as it currently stands but additional volume should definitely be addressed as an area of concern.

Yours truly,

*Kathy*

Kathy Fatt

[REDACTED]  
[REDACTED]  
STANMECH Technologies Inc.  
944 Zelco Drive  
Burlington, ON L7L 4Y3  
[REDACTED]  
[REDACTED]



**SUBJECT: Submission on Region of Halton's Official Plan  
Discussion Papers**

**TO:Community Planning, Regulation & Mobility Cttee.-PM**

**FROM:Community Planning Department**

Report Number: PL-28-20

Wards Affected: All

File Numbers: 150-14

Date to Committee: September 22, 2020

Date to Council: September 28, 2020

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**Recommendation:**

Direct the Director of Community Planning to submit the appendices to Community Planning Department report PL-28-20 as the City of Burlington Submission on the Region of Halton's Official Plan Discussion Papers by the comment submission deadline of September 28, 2020; and

Direct the Director of Community Planning to provide any additional comments to the Region, if any, upon Council approval on September 28, 2020.

**PURPOSE:**

**Vision to Focus Alignment:**

- Increase economic prosperity and community responsive city growth
- Improve integrated city mobility
- Support sustainable infrastructure and a resilient environment

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**Background and Discussion:**

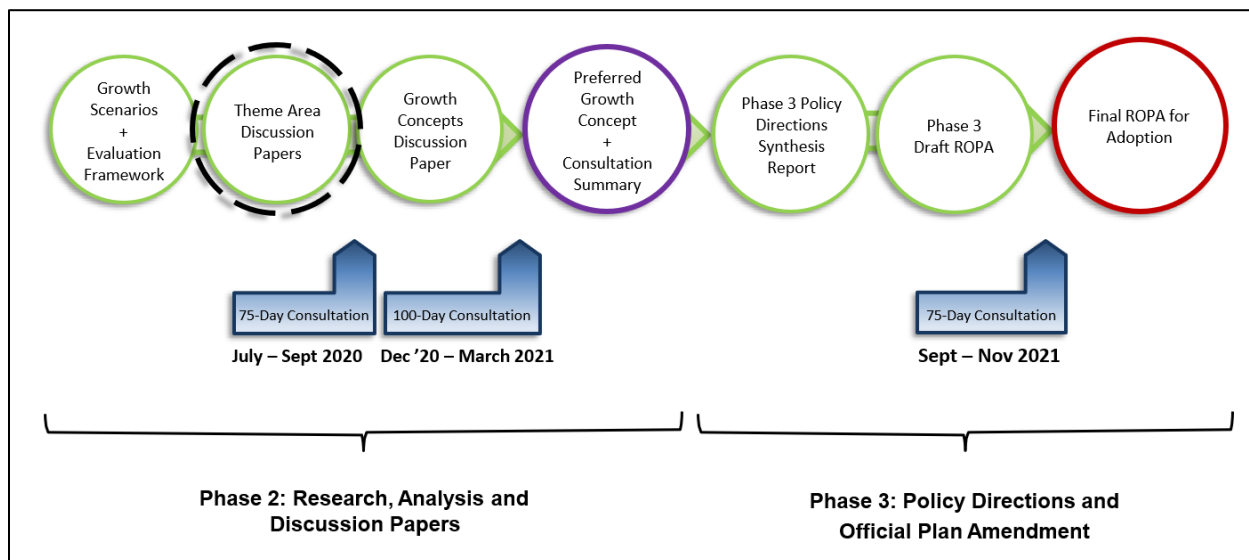
Under the *Planning Act*, municipalities are required to have an official plan and to update that official plan on a regular basis. The Halton Region Official Plan (ROP) is an important document that guides decisions related to growth, development and community investment across Halton Region.

The Planning Act requires municipal official plans to be consistent with the Provincial Policy Statement (2019) and to conform to applicable Provincial Plans. In Halton, this includes the Growth Plan, the Greenbelt Plan, the Niagara Escarpment Plan, and applicable Source Protection Plans.

The Halton Region Official Plan provides a strong planning vision that sees Halton's future landscape consisting of identifiable settlement areas, a rural countryside, and a natural heritage system.

## Regional Official Plan Review

In April 2014, through Report No. LPS28-14, Regional Council authorized the commencement of a statutory five-year review of the Halton Region Official Plan, referred to as the Regional Official Plan Review (ROPR). Regional staff developed a Work Plan, Communications and Engagement Strategy, and Directions Report to guide the ROPR through Report No. LPS110-16 which was delivered to Regional Council in October 2016. The Directions Report was the culmination of Phase 1 of the ROPR and identified a high-level work plan for subsequent phases.



### Current ROPR Status

The Regional Official Plan Review (ROPR) is currently in Phase 2 focused on research, analysis and a set of Discussion Papers on five key theme areas. The Discussion Papers explore issues and present options for achieving conformity with Provincial direction:

**Regional Urban Structure (Integrated Growth Management Strategy):** Urban system and growth management policies to guide population and job growth.

**Rural and Agricultural System:** Agricultural policies to support the agricultural system in Halton.

**Natural Heritage:** Natural heritage system policies to preserve the natural environment and protect source water.

**Climate Change:** Land-use policies to reduce greenhouse gas emissions and adapt to climate change.

**North Aldershot Planning Area:** Implications of growth management, natural heritage and a rural and agricultural system in North Aldershot.

Halton Region released the Discussion Papers for consultation in late July with a 75-day consultation period ending on September 28, 2020. Public engagement included Virtual Public Information Centres, materials at community centres, stakeholder meetings, meetings with the Region's Advisory Committees presentations to Regional Council and Local Councils as well as online general and technical questionnaires.

All input received through public engagement on the Discussion Papers will be presented to Regional Council in a consultation summary report.

Input received on the Urban Structure Discussion paper will also be used in refining the four growth concepts that are anticipated to be brought forward to Regional Council in Q4 2020 in the form of a Growth Concepts Discussion Paper, which will then be released for public consultation.

Feedback received on the Discussion Papers and Landing Pages will also be used to determine policy directions that will be presented to Regional Council in advance of the preparation of any amendment(s) to the Regional Official Plan.

Phase 3 of the Regional Official Plan review (2021) will involve the preparation and finalizing of a Regional Official Plan Amendment(s) and there will be additional opportunities for public engagement during this phase of the process.

### **Amendment 1 to the Growth Plan (2019)**

On August 28, 2020, Amendment 1 to the Growth Plan came into force and effect along with a new Land Needs Assessment Methodology. Updates to the Growth Plan include new population and employment forecasts for Halton Region to the 2051 planning horizon. Despite the recent changes, the Region has indicated that the information provided in the Regional Urban Structure Discussion Paper and Landing Page are still informative for the purposes of public consultation on a proposed Regional Urban Structure and relevant to the ongoing Integrated Growth Management Strategy process. Furthermore, Halton Region has advised that changes to the Growth Plan through Amendment 1 and the new Land Needs Assessment methodology will be addressed

through the next stages of the Integrated Growth Management Strategy through the development of Growth Concepts.

## **1.0 Integrated Growth Management Strategy (IGMS) Regional Urban Structure Discussion Paper**

To effectively manage and guide growth and development in the Region, the Integrated Growth Management Strategy (IGMS) is a critical component of the ROPR. The Regional Urban Structure Discussion Paper is the second in a series of four IGMS reports and outlines the policy context and requirements in the Growth Plan, 2019, and the development of a proposed Regional Urban Structure to guide future growth and development.

The discussion paper outlines the policy and technical requirements for the Region's Community Areas, the Employment Areas and the Settlement Areas, where growth and development are to be directed. Identifying these elements of the proposed Regional Urban Structure will provide important inputs for the development of Growth Concepts in the next stage of the IGMS leading to the development of a Preferred Growth Concept for Halton.

Community Areas are the focus for population and population-related and office employment growth.

The key components of the Regions Urban Structure include:

- Settlement Area
  - Community Areas
    - Delineated Built-up Areas
      - Strategic Growth Areas: are places where population and employment intensification will be directed.
        - Urban Growth Centres (UGC's)
        - Major Transit Station Areas (MTSAs)
        - Corridors and other Strategic Growth Areas
    - Designated Greenfield Area.
  - Employment Areas

### **1.1 Urban Growth Centres**

Urban Growth Centres are focal points for institutional, commercial, recreational, employment and residential uses in the Region to accommodate and support major transit infrastructure. The Growth Plan (2019) provides strong policy direction for the development of these areas including a minimum density target of 200 residents and jobs combined per gross hectare to be met by 2031 or earlier.



Currently Downtown Burlington is identified as a UGC in the Regional Official Plan. However, the Discussion Paper acknowledges that Burlington Council has asked Burlington Planning staff to prepare a report to consider changes to the UGC, and once received by the Region, this Local Municipal input will be considered as appropriate through the IGMS process.

Staff note that in the Council approved staff report [PL-33-20](#), the following staff recommendations were approved:

- Request the Region of Halton, through its Municipal Comprehensive Review of the Regional Official Plan, to adjust the boundary of the Downtown Burlington Urban Growth Centre to generally align with the lands in proximity to the Burlington GO Station; and
- Direct the Director of Community Planning to provide all related planning studies and background information to the Region to support the adjustment of the Downtown Burlington Urban Growth Centre boundary; and
- Direct the Director of Community Planning to work with the Region of Halton through its Municipal Comprehensive Review of the Regional Official Plan to remove the Major Transit Station Area designation from the downtown and delineate the boundaries of all other Major Transit Station Areas in Burlington; and
- Direct the Director of Community Planning to work with the Region of Halton to implement a staged approval of its Municipal Comprehensive Review of their Official Plan through Section 26 of the *Ontario Planning Act* to prioritize the above issues; and
- Request Provincial support of the Region of Halton Municipal Comprehensive Review of its Official Plan, including the adjustment of the boundary of the Downtown Burlington Urban Growth Centre and make all necessary modifications to Provincial mapping in order to ensure all amendments are in conformity with the Growth Plan; and
- Direct the Director of Community Planning to prepare the appropriate amendments to the City of Burlington Official Plan upon Provincial approval of the Region of Halton Municipal Comprehensive Review of its Official Plan to remove the Major Transit Station Area designation in the downtown and to reflect the adjusted boundary of the Downtown Burlington Urban Growth Centre; and
- Direct the Director of Community Planning to provide an engagement plan with residents, businesses and community stakeholders to Council with respect to the proposed adjustment of the downtown Urban Growth Corridor and Major Transit Station Area to satisfy the regulatory and Region requirements at the September 15, 2020 Community Planning, Regulation & Mobility Committee meeting.



As noted in Appendix A, the City requests the Region of Halton through its Municipal Comprehensive Review of the Regional Official Plan, to adjust the boundary of the Downtown Burlington Urban Growth Centre to generally align with the lands in proximity to the Burlington GO Station.

## **1.2 Major Transit Station Areas**

The Growth Plan requires Halton Region, in consultation with Local Municipalities, to delineate the boundaries of MTSA's on Priority Transit Corridors and identify a minimum density target. In the Discussion Paper, the Region provides Proposed Major Transit Station Area Boundaries for the areas around the Aldershot GO Station, Burlington GO Station and Appleby GO Station. The current ROP simply identifies Major Transit Stations as point features on Map 1 – Regional Structure. The Region is also considering the potential use of Inclusionary Zoning in MTSA's to ensure the provision of affordable housing is being considered as part of the ROPR.

The IGMS will consider using the Protected MTSA tool to assist in delivering needed intensification and the ROPR is reviewing currently identified MTSA's based on their role and level of transit service. The Protected Major Transit Station Area (MTSA) is a municipal tool used to support Higher Order Transit infrastructure around Major Transit Station Areas. The tool restricts appeals of Protected MTSA when a municipality establishes the required official plan policies (i.e. transit-supportive densities and uses).

Staff is of the opinion that all of the GO Station MTSA's should be Protected Major Transit Station Areas (PMTSA's) under the Growth Plan.

With regards to Downtown Burlington, staff have no concerns with the Region's proposal to remove the Downtown Burlington MTSA/Mobility Hub from the ROP as permitted by the Province. This aligns with the following Council approved staff recommendation (PL-33-20):

- Direct the Director of Community Planning to prepare the appropriate amendments to the City of Burlington Official Plan upon Provincial approval of the Region of Halton Municipal Comprehensive Review of its Official Plan to remove the Major Transit Station Area designation in the downtown and to reflect the adjusted boundary of the Downtown Burlington Urban Growth Centre.

Staff note that the proposed MTSA boundaries for Burlington GO and Appleby GO vary slightly from the Mobility Hubs study area boundaries that have been used as part of the City's Mobility Hubs Area-Specific Plan project since 2017. These variations relate primarily to the exclusion of parkland and the inclusion of a site that, while not well-connected to the area, may support change and development and therefore could contribute to the achievement of a density target.

The proposed MTSA boundary for Aldershot GO has the most differences from the City's Mobility Hub boundary for Aldershot GO. The key changes in the Region's proposed Aldershot GO MTSA boundary are the exclusion of Grove Park, Aldershot

Park and the properties located at 1135 Gallagher Road and 1200 King Road. Staff note that the lands at 1200 King Road are addressed in Minutes of Settlement between the City and the owner of those lands, Paletta International Corporation. The City agreed, through the Minutes of Settlement, to conduct a review to determine whether the portion of the 1200 King Road lands located west of Falcon Creek should be developed with MTSA land uses. That review, which includes a natural heritage component, has not yet been completed. City staff await a response from the Province respecting the natural heritage review that has been completed for these lands. Once received, the City will consider the Province's comments and conclude its review. The Region has noted that the proposed Aldershot GO MTSA boundary as presented in the IGMS Discussion Paper is consistent with the Region's delineation methodology to follow the Natural Heritage System (NHS) boundary.

### **1.3 Corridors and other Strategic Growth Areas**

The Region is examining the identification of corridors as part of a proposed Regional Urban Structure, and whether minimum density targets should be assigned to corridors which have a strategic function, and if other corridors should be identified that have a transit function. The Region is also examining whether the ROP should identify other growth nodes, including certain nodes identified in Local Urban Structures, and if additional multi-purpose or minor arterial roads should be identified in the Regional Urban Structure to support a higher-order regional transit network.

The City of Burlington has concerns with the identified network as contained in the Defining Major Transit Requirements (DMTR) Study and refers the Region to local municipal work to inform corridors. The focus should be placed on the local vision for corridors, as contained in City's Adopted Official Plan on the Frequent Transit Network schedule. Local transit investment including increased transit frequency has already been implemented on these corridors to align with the municipality's local urban structure.

The City of Burlington may also have concerns with the establishment of minimum density targets along corridors. The Region should carefully consider the role of establishing new density targets beyond those already established in the Provincial Growth Plan. It is requested that the Region investigate the role of targets for corridors but that due consideration be given to the implementation of such targets.

The City of Burlington advises that establishing a target along corridors should be at the discretion of the local municipality, particularly given the perceived relative importance of achieving targets during the evaluation of development applications. A target along narrow expanses of areas that will develop over a long period of time could mean that the targets unintentionally distort the good planning principles behind identifying these areas as Strategic Growth Areas. Careful consideration of this direction is required.

## **1.4 Employment Areas**

Employment Areas are the focus for clusters of business and economic activities and accommodate most employment land employment.

The Growth Plan, 2019 requires Halton Region, in consultation with Local Municipalities, to designate Employment Areas in official plans to protect them for appropriate employment uses over the long-term. Halton Region is required to plan to accommodate 470,000 jobs by 2041. As the discussion paper notes “the Community Area and in particular the Strategic Growth Areas will accommodate a large share of this growth, Employment Areas continue to play a strong role in supporting Halton’s economic growth and competitiveness.”

This section of the Discussion Paper focuses on considering which lands within Halton Region should be protected as Employment Areas and how the policy framework in the Regional Official Plan can best support planning for employment in Halton to 2041.

The Region must designate sufficient land as Employment Area as per the Growth Plan, 2019 and establish minimum employment density targets for these areas.

The Province has also identified Provincially Significant Employment Zones (PSEZs) within Halton Region for the purpose of long-term planning for job creation and economic development. The Region is considering alternative policy approaches to the planning for Employment Areas, given broader economic trends.

The Discussion Papers identify a range of issues to be tackled in refining the existing employment policy framework in the Region’s Official Plan. In many cases it is important to note that there are a wide range of issues that are not necessarily influenced by policy. The City of Burlington encourages the Region to set the stage in policy to look for other means to support the policy directions with new tools and programs to reinforce employment policies and to support employment growth within key Strategic Growth Areas.

Although the discussion paper is focused on a few key areas staff look forward to the opportunity to continue to work with the Region in the development of the policy approaches laid out in the discussion paper.

### **1.4.1 Employment Conversions**

Halton Region is evaluating requests to convert lands within Employment Areas to recognize or allow for non-employment uses such as residential, major retail or other mixed uses. To date, the Region has received 46 requests to remove a total of approximately 1,030 hectares of lands from the Region’s Employment Area. The employment conversion principles are well described and the underlying assessment considerations are a good starting point for the consideration of employment conversions. As noted above, given the recent amendments to the Growth Plan criteria

that reference the 2041 planning horizon must be revised. Staff look forward to discussions about how the assessment considerations will be impacted by the new planning horizon.

The employment area conversions criteria are well laid out. Staff are supportive of the identified subjects and principles set out in the criteria. The various assessment considerations will provide enough information about how each conversion requests contributes to a given principle. Staff continue to identify that there may be nuances within the assessment considerations where one or more may be required in order to support meeting the identified principle.

The City of Burlington continues to support the listing of properties recommended to be considered for conversion at the time of the adoption of the Official Plan (2018) in PB-04-18 titled Revised Proposed New Official Plan Recommended for Adoption. [Appendix D to PB-04-18](#) which is titled Lands Recommended for Employment Conversion includes properties that are located within the Region of Halton Employment Area overlay. The list of conversion requests included in the discussion paper includes 901 Guelph Line which was considered for conversion by the City, however, was ultimately not recommended for conversion through the adopted Official Plan in 2018.

Staff look forward to the opportunity to considering the full listing of employment conversion requests compiled after the submission deadline against the employment area conversions criteria.

The delineation of the MTSAs and any other Strategic Growth Areas should occur in advance of any decisions on the conversion requests to inform the conversion assessment considerations. The determination of the Regional Urban Structure should be appropriately informed by the Local Urban Structures. In turn, this should be in place to inform conversion recommendations.

The City of Burlington is supportive of the work undertaken by the Region to consider technical revisions to the existing Region of Halton Employment Area. These changes will support better interpretation of the policies of the Regional Official Plan by establishing boundaries that are clear, consistent and logical.

#### **1.4.2 Employment Area Additions**

In answering the question of what lands should be protected as Employment Area the discussion paper highlights the consideration of adding land to the Employment Area designated in the Regional Official Plan. Burlington staff agree that not all lands that accommodate employment uses need to identified within an Employment Area.

At the time of the adoption of the Official Plan (2018) the Urban Structure schedule identified a set of lands “to be added to Region of Halton Employment Area”. Please find attached as Appendix B – Schedule B: Urban Structure which presents the areas that, at the time, were identified.

With respect to the adopted Official Plan (2018), Regional and City staff continue to address issues of conformity with the Regional Official Plan, and changes to the Growth Plan in the intervening period.

The City of Burlington supports the approach of working closely with the Region to refine the extent of the areas previously identified as “to be added to the Region of Halton Employment Area”. Refinement of the area may occur as a result of the approval process for the City of Burlington’s adopted Official Plan (2018).

## **1.5 Settlement Areas**

Settlement areas are the Region’s urban areas and rural settlement areas. The Growth Plan, 2019 requires municipalities to plan for the population and employment forecasts by directing the vast majority of growth to Settlement Areas, which have a Delineated Built-up Area, existing or planned municipal infrastructure and can support the development of Complete Communities.

The Growth Plan, 2019 requires municipalities to delineate the Settlement Areas within their Official Plans and through the completion of a Land Needs Assessment, the Region will determine if an expansion to the Settlement Area boundaries is required to accommodate the forecasted growth. Should an expansion be required, the Growth Plan, 2019 provides criteria on the feasibility and most appropriate location for a Settlement Area boundary expansion. The IGMS Growth Scenarios Report released in June 2019 identified potential locations for new Community Areas and Employment Area Designated Greenfield Areas. The Region is also required to establish a minimum density target for the Designated Greenfield Area of Halton.

## **2.0 Rural and Agricultural Systems**

The purpose of the Rural and Agricultural Systems Discussion Paper is to identify the key agricultural and rural policy areas that will need to be investigated further through the ROPR process. A technical background review was conducted to review:

- key Regional and Provincial documents that may have an impact on land use in the rural and agricultural areas;
- best practices related to rural and agricultural land use; and
- review proposed prime agricultural mapping.

### **2.1 Mapping**

The Discussion Paper includes the implementation of the Growth Plan Provincial Agricultural System policies and mapping, including the expansion of the agricultural system concept to include the ‘agri-food network’ in addition to a physical land base.

The Discussion Paper also provides Agricultural System mapping options such as an overlay vs. designation, which ties into the Natural Heritage mapping discussion.

As noted in Appendix A, staff are supportive of an approach that includes mutually exclusive designations for prime agricultural lands and key features of the Natural Heritage System where the majority of agricultural uses are not permitted, with a single constraint overlay for the remainder of the Natural Heritage System. Staff recognize the complexities associated with a single constraint layer, given the variations in permitted uses across the numerous policy frameworks governing the Natural Heritage System, but recommends addressing these nuances through policy and supplementary mapping. However, given the restrictions associated with key features and the resultant impacts to the agricultural sector, careful consideration must be given to mapping and refinement approaches through further consultation with the agricultural community.

## **2.2 Agriculture-related and On-Farm Diversified Uses**

With respect to agriculture-related uses, the Discussion Paper introduces new permitted uses within prime agricultural areas, aligned with the Provincial Policy Statement (PPS), 2020. There is consideration of whether the Region should provide guidance/policies to regulate these uses or leave it to local discretion.

The PPS, 2020 introduced two new sets of permissions for prime agricultural areas called 'agriculture-related uses' and 'on-farm diversified uses'. Agriculture related uses are farm-related commercial and industrial uses. They add to the vitality and economic viability of prime agricultural areas because they are directly related to and service farm operations in the area as a primary activity. These uses may be located on farms or on separate agriculture-related commercial or industrial properties. Examples include abattoirs, storage facilities, farmers markets, farm suppliers and food processors. On-farm diversified uses enable farm operators to diversify and supplement their farm income, as well as to accommodate value-added and agri-tourism uses. These uses must be located on a farm that is actively in agricultural use and must be secondary in nature to the principal agricultural operation. Examples include retail uses, bed and breakfasts, special events, wineries, home occupations and home industries.

As noted in Appendix A, it is staff recommendation that the full extent of these uses be permitted within the Regional Official Plan and that the Provincial Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas be encouraged as a common basis/minimum requirement for developing detailed implementation policies at the local level.

## **2.3 Cemeteries**

The Rural and Agricultural Systems Discussion Paper considers how to respond to cemetery applications in prime agricultural areas. Currently the PPS 2020 permits cemeteries in settlement areas and rural areas that are outside prime agricultural areas, with a process to allow municipalities to consider permitting cemeteries in prime agricultural areas only if strict tests are met.

Regarding both Urban and Rural Areas, staff suggest that policies should be examined for opportunities to better incorporate planning for long-term cemetery needs as a component of complete communities, supported by a comprehensive cemetery land needs analysis. Staff are not supportive of locating cemeteries in prime agricultural areas and recommend incorporating additional policies to guide the evaluation of non-agricultural uses in prime agricultural areas, based on the Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas. In addition, policies encouraging and supporting the upgrading and renewal of existing cemeteries to extend capacity should be considered. The relationship between cemeteries and the natural heritage system, park lands and public space should also be evaluated to identify innovative and emerging opportunities to address the challenges associated with cemetery needs and limited land supply.

## **2.4 Agricultural Impact Assessment**

Agricultural Impact Assessment (AIA) policies are reviewed in the Discussion Paper as there is an opportunity to add AIA requirements to existing policies to better align with recent updated Provincial requirements. Staff recommend re-consideration of the need for separate Regional guidelines once the draft Provincial guidelines have been finalized. Staff also recommend establishing a better understanding of what constitutes agricultural viability within the context of Halton Region and establishing metrics to enhance the effectiveness of AIA requirements, with a focus on mitigation measures.

## **2.5 Special Needs Housing**

The Discussion Paper also considers how to respond to applications for special needs housing in the rural area. The current ROP does not contemplate special needs housing in the rural area, yet the PPS 2020 does not restrict special needs housing to urban areas only. The Discussion Paper highlights the need to carefully consider the addition of policies to permit this use in the rural area.

To help meet housing needs in Halton, staff are generally supportive of special needs housing outside of the urban area, where residential uses are permitted (in accordance with Provincial policy), provided that health, safety and other reasonable planning standards are met (i.e. adequacy of servicing, provision of parking, etc.).

## **3.0 Natural Heritage**

The Discussion Paper describes the Natural Heritage System as having a central place within the planning vision for Halton. This vision includes sustainable development to protect the natural environment, preserving certain landscapes permanently and strengthening the long-term viability of Halton's natural heritage and water resources.

### **3.1 Natural Heritage System Mapping**

The discussion paper addresses the update of Regional Natural Heritage System (NHS) base layers and implementation of Growth Plan Provincial Natural Heritage System policies and mapping. As part of these updates, new Provincial buffer requirements and vegetation protection zones have been added in certain areas.

As noted in Appendix A, staff are supportive of an approach that includes mutually exclusive designations for prime agricultural lands and key features of the Natural Heritage System where the majority of agricultural uses are not permitted, with a single constraint overlay for the remainder of the Natural Heritage System. Staff recognize the complexities associated with a single constraint layer, given the variations in permitted uses across the numerous policy frameworks governing specific components of the Natural Heritage System, but recommends addressing these nuances through policy and supplementary mapping. However, given the restrictions associated with key features and the resultant impacts to the agricultural sector, careful consideration must be given to mapping and refinement approaches through further consultation with the agricultural community.

### **3.2 Water Resource System**

Currently, ROP policies highlight the overall objective of maintaining, protecting and enhancing the quality and quantity of ground water and surface water. In alignment with the PPS 2020, Growth Plan 2019 and Greenbelt Plan 2017, the Discussion Paper introduces a Water Resource System to provide for the long-term protection of key hydrologic features, key hydrologic areas and their functions. Staff are supportive of integrating Water Resource System and Natural Heritage System mapping in areas where they overlap/share common policy objectives but recommend policies to distinguish slight differences between Key Natural Heritage Features and Key Hydrologic Features, along with separate mapping for Key Hydrologic Areas.

### **3.3 Natural Heritage Strategy**

The Discussion Paper considers the development of a Regional Natural Heritage Strategy to support the objectives of the NHS to increase the certainty that the biological diversity and ecological functions within Halton will be preserved and enhanced for future generations.

Staff support the development of a Regional Natural Heritage Strategy and have provided suggestions on what should be included, such as the identification of critical areas for enhancement and securement efforts within the Region, with specific recommendations for actions and appropriate funding mechanisms.



### **3.4 Other Natural Heritage Topics**

The Discussion Paper explores a number of other topics including the inclusion of supporting objectives/policies linking to the Cootes to Escarpment EcoPark System Master Plans, incorporating Source Protection Plans into ROP land use policies and mapping, and incorporating updated provincial policies regarding natural hazards. Lastly, the paper considers strengthening policies for significant woodlands based on additional factors such as the quality of the woodland and its ecological functions, focusing on complete life cycle analysis.

### **4.0 North Aldershot**

The North Aldershot Discussion Paper reviews the implications of growth management, natural heritage and a rural and agricultural system in North Aldershot. This area has a long history as a distinct policy area within the ROP and, given that the framework has not been updated since 1996, a comprehensive review is required.

The North Aldershot policy area is no longer in conformity with the Provincial framework and must be brought into one of three permitted land use categories under the PPS: urban 'settlement area', 'prime agricultural area' or 'rural area'. Rural areas include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas and resource areas. Rural lands and prime agricultural areas are mutually exclusive, with rural lands not encompassing prime agricultural areas. North Aldershot is outside of existing urban settlement area boundaries, it has not been identified as a rural settlement area, and it does not contain any prime agricultural lands.

On this basis, Regional analysis has concluded that 'rural area' is the applicable land use category, unless a settlement area boundary expansion were to occur through a Municipal Comprehensive Review. Further, the Discussion Paper gives consideration to what types of uses should be permitted under a possible rural lands designation.

From a policy perspective, staff are supportive of the Region's conclusions regarding the appropriate land use category for lands within North Aldershot that are not the subject of existing development approvals or Minutes of Settlement that contemplate potential residential development. Specifically, Minutes of Settlement between the City and Paletta International Corporation regarding Paletta's Eagle Heights lands within North Aldershot recognize Eagle Heights as an approved residential development. Paletta is also seeking to amend its approved development to permit a revised development form. The Minutes of Settlement confirm that the City is supportive of the proposed revised development provided that it is in accordance with the Minutes of Settlement and complies with all applicable law, policies and regulations. Based on current Provincial and Regional policies, as well as existing settlement area boundaries, the City is supportive of permitted uses in keeping with Provincial policies for the applicable land use category for the remainder of the lands within North Aldershot. Staff acknowledge that any consideration of a Settlement Area boundary expansion within the North Aldershot Planning Area must occur within the context of the IGMS and

be based on the Growth Plan (2019) policy tests for settlement boundary expansions and the results of the Land Needs Assessment.

## **5.0 Climate Change**

The Region is reviewing land-use policies to reduce greenhouse gas emissions and adapt to climate change. The Climate Change Discussion Paper summarizes the key findings of background research and analysis and identifies the principal areas where the ROPR could address climate change and outlines potential policy considerations for the ROP. The review offers the opportunity to build on the sustainability vision of the current ROP in the following policy areas:

### **5.1 Growth Management**

In order to strengthen the Region's ability to grow in a compact manner, and promote complete and resilient communities, a climate change lens must be applied to growth management to ensure the Region's growth does not translate into higher GHG emissions.

### **5.2 Transportation**

The discussion paper highlights the importance of aligning growth and transportation planning at the early stages by assigning growth in a way that supports transit. Further, the implementation of complete streets will allow the Region to put greater emphasis on increasing its mode share towards transit and active transportation and reducing auto-dependence.

### **5.3 Energy and Utilities**

The Region is also looking to explore ways to enhance and strengthen energy conservation policies and introduce policies related to renewable energy.

### **5.4 Agriculture**

The discussion paper emphasizes the linkages between agricultural sector viability, on-farm diversification and resilience to the impacts of changing climate in relation to economic resilience and food security in Halton Region.

### **5.5 Natural Heritage and Environmental Quality**

The discussion paper recognizes the Natural Heritage System (NHS) as a valuable carbon sink and seeks to improve policies related to water, air and hazardous lands protection.

### **Submission**

Please find attached Appendix A, the City's Submission to Region of Halton on the Regional Official Plan Discussion Papers and Appendix B – Schedule B: Urban Structure. Appendix C, the Burlington Agricultural and Rural Affairs Advisory Committee (BARAAC) Submission on the Regional Official Plan Discussion Papers, will be distributed under separate cover, in advance of the Community Planning, Regulation and Mobility Committee meeting.

### **Strategy/process**

The City of Burlington is providing the City's submission on the Region's Official Plan Discussion papers through staff report PL-28-20 during the 75-day consultation period as the City's input into Phase 2 of the Regional Official Plan Review (ROPR).

### **Options Considered**

Not applicable.

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### **Financial Matters:**

Not applicable.

### **Total Financial Impact**

Not applicable.

### **Source of Funding**

Not applicable.

### **Other Resource Impacts**

Not applicable.

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### **Climate Implications**

Not applicable.

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## **Engagement Matters:**

Staff held two internal virtual workshops with staff from various departments and the Burlington Economic Development Corporation (BEDC) to gather feedback on the five Discussion Papers.

A newsletter containing information about the ROPR process, the five discussion papers and the consultation period was sent out through Get Involved and through Constant Contact to the Official Plan mailing list.

Further, staff have worked with the Burlington Agricultural and Rural Affairs Advisory Committee (BARAAC) to collect feedback on the Discussion Papers. Due to timing constraints and the advisory committee summer break, the BARAAC was not able to provide formal comments for inclusion at the time of report submission. BARAAC's preliminary feedback has been considered throughout staff comments, but the committee's formal submission will be distributed under separate cover as Appendix C in September, once advisory committee activities have resumed.

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## **Conclusion:**

The Region of Halton's Official Plan Discussion Papers cover several important topics. The City of Burlington's comments and suggestions on these topics, as well as answers to the Discussion Questions contained in the Discussion Papers have been provided in staff report PL-28-20 and the attached appendices, which form the City's submission to the Region of Halton.

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Respectfully submitted,

Rosa Bustamante

Manager of Mobility Hubs

### **Appendices:**

- A. Appendix A – City of Burlington Submission on the Regional Official Plan Review Discussion Papers
- B. Appendix B – Schedule B: Urban Structure
- C. Appendix C – Burlington Agricultural and Rural Affairs Advisory Committee (BARAAC) Submission on the Regional Official Plan Discussion Papers (to be distributed under separate cover).

### **Notifications:**

Region of Halton  
Town of Oakville  
Town of Milton  
Town of Halton Hills  
Conservation Halton  
Credit Valley Conservation  
Grand River Conservation Authority

### **Report Approval:**

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Council.

## Appendix A: City of Burlington Submission on the Regional Official Plan Review Discussion Papers

Discussion Question	City of Burlington Response
<b>Regional Urban Structure- IGMS</b>	
<p><b>1.</b> How can the Regional Official Plan further support the development of Urban Growth Centres?</p>	<ul style="list-style-type: none"> <li>• Currently Downtown Burlington is identified as a UGC in the Regional Official Plan. However, the Discussion Paper acknowledges that Burlington Council has asked Burlington Planning staff to prepare a report to consider changes to the UGC, and once received by the Region, this Local Municipal input will be considered as appropriate through the IGMS process.</li> <li>• As supported by the Council approved staff report PL-33-20, the City requests the Region of Halton through its Municipal Comprehensive Review of the Regional Official Plan, to adjust the boundary of the Downtown Burlington Urban Growth Centre to generally align with the lands in proximity to the Burlington GO Station.</li> <li>• Staff note that in the Council approved staff report <a href="#">PL-33-20</a>, the following staff recommendations were approved:             <ul style="list-style-type: none"> <li>○ Request the Region of Halton, through its Municipal Comprehensive Review of the Regional Official Plan, to adjust the boundary of the Downtown Burlington Urban Growth Centre to generally align with the lands in proximity to the Burlington GO Station; and</li> <li>○ Direct the Director of Community Planning to provide all related planning studies and background information to the Region to support the adjustment of the Downtown Burlington Urban Growth Centre boundary; and</li> <li>○ Direct the Director of Community Planning to work with the Region of Halton through its Municipal Comprehensive Review of the Regional Official Plan to remove the Major Transit Station Area designation from</li> </ul> </li> </ul>

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Discussion Question	City of Burlington Response
	<p>the downtown and delineate the boundaries of all other Major Transit Station Areas in Burlington; and</p> <ul style="list-style-type: none"> <li>○ Direct the Director of Community Planning to work with the Region of Halton to implement a staged approval of its Municipal Comprehensive Review of their Official Plan through Section 26 of the <i>Ontario Planning Act</i> to prioritize the above issues; and</li> <li>○ Request Provincial support of the Region of Halton Municipal Comprehensive Review of its Official Plan, including the adjustment of the boundary of the Downtown Burlington Urban Growth Centre and make all necessary modifications to Provincial mapping in order to ensure all amendments are in conformity with the Growth Plan; and</li> <li>○ Direct the Director of Community Planning to prepare the appropriate amendments to the City of Burlington Official Plan upon Provincial approval of the Region of Halton Municipal Comprehensive Review of its Official Plan to remove the Major Transit Station Area designation in the downtown and to reflect the adjusted boundary of the Downtown Burlington Urban Growth Centre; and</li> <li>○ Direct the Director of Community Planning to provide an engagement plan with residents, businesses and community stakeholders to Council with respect to the proposed adjustment of the downtown Urban Growth Corridor and Major Transit Station Area to satisfy the regulatory and Region requirements at the September 15, 2020 Community Planning, Regulation &amp; Mobility Committee meeting.</li> </ul> <ul style="list-style-type: none"> <li>● Include policies seeking innovative approaches to master servicing in Strategic Growth Areas, such as UGCs.</li> </ul>

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Discussion Question	City of Burlington Response
	<ul style="list-style-type: none"> <li>• The Region should reinforce the policies and stand behind local municipalities in their vision for implementing the objectives of their UGC. The Region is implementing high level policy and must build in ways to support local implementation.</li> <li>• Include prioritization of these areas in CIPs and other funding supports and programs.</li> <li>• Commit in policy to working in consultation with the local municipalities in terms of all elements of UGC implementation, including mapping and detailed Regional policies.</li> </ul>
<p><b>2.</b> Should the Region consider the use of Inclusionary Zoning in Protected Major Transit Station Areas to facilitate the provision of affordable housing?</p>	<ul style="list-style-type: none"> <li>• Yes, the Region should.</li> <li>• Inclusionary zoning is highlighted in the City's adopted Official Plan and will be considered in the City-Wide Housing Strategy.</li> <li>• The Region should lead and collaborate with local municipalities as they work on ASPs for delineated MTSAs.</li> <li>• This would guard against the potential requirement by the Minister to require the use of Inclusionary Zoning.</li> <li>• Staff recognize that this will require background work and economic analysis to ensure affordable housing objectives can be met while still providing opportunities for development.</li> </ul>
<p><b>3.</b> Should the Region consider the use of the Protected Major Transit Station Areas tool under the Planning Act, to protect the Major Transit Station Areas policies in the Regional Official Plan and local official plans from appeal? If so, should all Major Transit Station Areas be considered or only those Major Transit Station Areas on Priority Transit Corridors?</p>	<ul style="list-style-type: none"> <li>• This is an important tool to use.</li> <li>• All MTSAs should be considered, however there may be some argument for not pursuing it in all cases.</li> <li>• The only reasons not to use the tool would be if there was an MTSA where the City did not want to use inclusionary zoning in that area and where it is not appropriate to set targets and delineate boundaries and do detailed planning studies.</li> <li>• All MTSAs on Regional Express Rail (RER) in Burlington should be considered as Protected MTSAs. In the Council approved staff report PL-33-20, the following staff recommendations were approved:</li> </ul>



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Discussion Question	City of Burlington Response
	<ul style="list-style-type: none"> <li>○ Direct the Director of Community Planning to work with the Region of Halton through its Municipal Comprehensive Review of the Regional Official Plan to remove the Major Transit Station Area designation from the downtown and delineate the boundaries of all other Major Transit Station Areas in Burlington</li> <li>○ Direct the Director of Community Planning to prepare the appropriate amendments to the City of Burlington Official Plan upon Provincial approval of the Region of Halton Municipal Comprehensive Review of its Official Plan to remove the Major Transit Station Area designation in the downtown and to reflect the adjusted boundary of the Downtown Burlington Urban Growth Centre</li> <li>● The Burlington Economic Development Corporation (BEDC) is very supportive of the Protected MTSA tool to help achieve complete community objectives such as mix of land uses and job creation. The tool will help to create certainty in the market.</li> </ul>
<p><b>4.</b> From the draft boundaries identified in Appendix B and the Major Transit Station Area boundary delineation methodology outlined, do you have any comments on the proposed boundaries? Is there anything else that should be considered when delineating the Major Transit Station Areas?</p>	<ul style="list-style-type: none"> <li>● With regards to the draft boundaries identified for Burlington GO and Appleby GO, staff have no comments and note that the variations from the previous Mobility Hub Study Area boundaries relate primarily to the exclusion of parkland and the inclusion of some sites that, while not well-connected to the area, may support the achievement of a density target.</li> <li>● Staff note that the proposed MTSA boundary for Aldershot GO has the most differences from the City's Mobility Hub boundary for Aldershot GO. The key changes in the Region's proposed Aldershot GO MTSA boundary are the exclusion of Grove Park, Aldershot Park and the properties located at 1135 Gallagher Road and 1200 King Road. Staff note that the lands at 1200 King Road are addressed in Minutes of Settlement between the City and the</li> </ul>

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Discussion Question	City of Burlington Response
	<p>owner of those lands, Paletta International Corporation. The City agreed, through the Minutes of Settlement, to conduct a review to determine whether the portion of the 1200 King Road lands located west of Falcon Creek should be developed with MTSA land uses. That review, which includes a natural heritage component, has not yet been completed. City staff await a response from the Province respecting the natural heritage review that has been completed for these lands. Once received, the City will consider the Province's comments and conclude its review. Through previous correspondence, the Region has noted that the proposed Aldershot GO MTSA boundary as presented in the IGMS Discussion Paper is consistent with the Region's delineation methodology to following the Natural Heritage System (NHS) boundary.</p> <ul style="list-style-type: none"> <li>• With regards to Downtown Burlington, staff have no concerns with the Region's proposal to remove the Downtown Burlington MTSA/Mobility Hub from the ROP as permitted by the Province. This aligns with the following Council approved staff recommendation (PL-33-20): <ul style="list-style-type: none"> <li>○ Direct the Director of Community Planning to prepare the appropriate amendments to the City of Burlington Official Plan upon Provincial approval of the Region of Halton Municipal Comprehensive Review of its Official Plan to remove the Major Transit Station Area designation in the downtown and to reflect the adjusted boundary of the Downtown Burlington Urban Growth Centre. Through work on the adopted Official Plan (2018), references to Mobility Hubs have been modified to reference MTSA Special Planning Areas.</li> </ul> </li> <li>• The delineation methodology appears to be appropriate.</li> </ul>

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Discussion Question	City of Burlington Response
	<ul style="list-style-type: none"> <li>• This element should be part of the first phase of the ROPA to inform the bigger picture moves in the Regional Urban Structure, namely decisions on employment conversion requests. (Refer to PL-33-20 – UGC MTSA report suggesting phased approach to ROPA)</li> </ul>
<p><b>5.</b> How important are Major Transit Station Areas as a component of Halton's Regional Urban Structure? What is your vision for these important transportation nodes?</p>	<ul style="list-style-type: none"> <li>• Very critical to the Region as a whole.</li> <li>• The City sees these areas as transit supportive, mixed use, employment nodes that will become complete communities.</li> <li>• These areas can be complete communities that can help reduce climate change and an opportunity to plan for adaptation, as well as include green infrastructure and look for district energy opportunities.</li> <li>• Consistent with the Growth Plan</li> <li>• MTSA's are places where significant investment and planning is required to meet objectives.</li> <li>• Many MTSA's will be planned within an existing built context and many will represent redevelopment. The Regional policy approach must acknowledge the great diversity of MTSA's and build a supportive and informative structure for many unique contexts.</li> <li>• BEDC notes that the creation of complete communities needs to have more emphasis, especially post-Covid since working from home has become more prevalent. Providing for and supporting initiatives such as flexible zoning to accommodate new trends such as coworking spaces is critical. As firms rethink employee environments, a mix of uses in areas such as MTSA's with particular emphasis on office space is going to be even more important.</li> </ul>
<p><b>6.</b> Building on the 2041 Preliminary Recommended Network from the Defining Major Transit Requirements, should corridors be identified as Strategic Growth Areas in the Regional Official Plan? Is so, should a specific minimum density target be assigned to them?</p>	<ul style="list-style-type: none"> <li>• The City of Burlington has concerns with the identified network.</li> <li>• Allow local municipal work to inform the ultimate corridor. Refer to the Frequent Transit Corridor in adopted OP</li> <li>• They could be identified as SGAs.</li> </ul>

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Discussion Question	City of Burlington Response
	<ul style="list-style-type: none"> <li>• If any specific minimum density target is identified, as required, there should be guidance or direction to be undertaken by the local municipality.</li> <li>• The implementation of minimum density targets along corridors should be at the discretion of the local municipality. The perceived / relative importance of achieving targets in the consideration of development approvals could mean that these targets could distort the good planning principles behind identifying these areas as SGAs.</li> <li>• This response is also supported by the City's Transportation and Transit departments. Focus should be placed on local vision to align these corridors. Transit investment including increased transit frequency has already been implemented on these corridors.</li> </ul>
<p><b>7.</b> Should the ROP identify additional multi-purpose and minor arterial roads in the Regional Urban Structure, not for the purposes of directing growth, but to support a higher order Regional transit network?</p>	<ul style="list-style-type: none"> <li>• No, the Region should not.</li> <li>• It is important to understand what "the Regional transit network" means in this context? Is it very broadly transit or narrowly focused on the need for different Regional infrastructure? Is this an extension of Defining Major Transit Requirements (DMTR)?</li> <li>• The City's Transportation Department also agrees that the Region should not. As the transit provider, the local municipality should define vision through processes such as the Integrated Mobility Plan and determine the appropriate facilities to achieve our vision.</li> </ul>
<p><b>8.</b> Are there any other nodes in Halton that should be identified within the Regional Official Plan from a growth or mobility perspective (i.e. on Map 1)? If so, what should the function of these nodes be and should a density target or unit yield be assigned in the Regional Official Plan?</p>	<ul style="list-style-type: none"> <li>• Recognize the City's Urban Structure (Schedule B) established in the adopted Official Plan (e.g. Uptown Urban Centre as a Primary Growth Area).</li> <li>• It is likely not appropriate to establish targets, however if this is being considered by the Region, it should be at the discretion of the local municipality.</li> </ul>
<p><b>9.</b> Are there any other factors that should be considered when assessing Employment Area conversion requests in Halton Region?</p>	<ul style="list-style-type: none"> <li>• The process is detailed and nicely laid out.</li> </ul>

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Discussion Question	City of Burlington Response
	<ul style="list-style-type: none"> <li>• A number of changes to the assessment considerations will be required as a result of the recent amendment to the Provincial Growth Plan.</li> <li>• There may be cases, once the Region is actually considering the full list of conversions, that do not fit well into the categories or elements.</li> <li>• There may be some assessment considerations that in the end are determined to be non-negotiable. The Region will ultimately need to define the threshold for achieving the stated principle.</li> <li>• The most important element of the consideration of conversions and the development of conversion recommendations is the determination of the Regional Urban Structure which should be appropriately informed by the Local Urban Structures.</li> <li>• COB suggests that the delineation of the MTSAs and any other SGAs should occur in advance of any decisions on the conversion requests to inform the conversion assessment considerations.</li> </ul>
<p><b>10.</b> Are there any areas within Halton Region that should be considered as a candidate for addition to an Employment Area in the Regional Official Plan?</p>	<ul style="list-style-type: none"> <li>• For more details please refer to Staff Report PL-28-20 Section 1.4.2 Employment Area Additions</li> <li>• The extent of the area recommended to be added to the Area of Employment may be refined through the approval process for the adopted Official Plan.</li> <li>• Changes in policy at the Provincial level have identified the role for employment lands outside of employment areas to accommodate employment growth.</li> <li>• Some lands still should be considered to be added.</li> <li>• Other lands will, through the approval of the adopted Official Plan, identify the key role of accommodating space for employment.</li> <li>• Staff are supportive of working closely with Regional Staff to identify areas that should continue to be considered for addition to the Employment Area.</li> </ul>

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Discussion Question	City of Burlington Response
<p><b>11.</b> How can the Regional Official Plan support employment growth and economic activity in Halton Region?</p>	<ul style="list-style-type: none"> <li>• Burlington Economic Development suggests that the Region participate in lower tier CIPs to support employment growth. Strategic leverage of key opportunities. Policy sets the framework but can only get us so far; need to also seriously consider broadened Regional incentive programs.</li> <li>• Programs and supportive policies (including within the Rural Area and particularly for the agricultural sector, even though it is not a part of the Employment Area or traditional employment planning)</li> <li>• A broader, region-wide employment strategy would support the connections among policy, economic development and programs.</li> <li>• The policy framework is predominantly focused on the protection of employment area (in order to ensure that the land can accommodate the broadest range of employment uses in supportive contexts). The Region should consider what other strategic objectives and policy requirements should be established to encourage flexibility and innovation to encourage more investment. In particular, building tools to encourage more employment uses in future growth nodes like MTSAs.</li> <li>• Continue to encourage the Provincial government to ensure more Planning Act tools to support more spaces for jobs throughout the community – zoning with conditions.</li> <li>• Comments from Burlington Economic Development Corporation (BEDC) highlight the need for stronger tools to actually make employment happen. BEDC supports and recommends that innovation is required from a policy to an implementation perspective to support a broad range of mixed uses in key areas, this could even include light industrial uses. This innovation could include incentives, targets for different types of employment uses in mixed use areas, design guidance and partnerships.</li> <li>• Further BEDC, recommends the use of tools such as CIPs and DC exemption for minimum amount of office, to help attract office.</li> </ul>

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Discussion Question	City of Burlington Response
	Look to Brampton example where they have used DC exemptions for major office. Consider this for MTSAs.
<p><b>12.</b> What type of direction should the Regional Official Plan provide regarding planning for uses that are ancillary to or supportive of the primary employment uses in employment areas? Is there a need to provide different policy direction or approaches in different Employment Areas, based on the existing or planned employment context?</p>	<ul style="list-style-type: none"> <li>• Office parks (2.2.5.16)</li> <li>• Ancillary Employment Uses</li> <li>• Size or scale thresholds for Major Retail uses– should be examined</li> <li>• Density targets as directed by Growth Plan</li> <li>• The Burlington Economic Development Corporation (BEDC) recommends that the Region discuss Child Care, which is something is challenging to have incorporated as an ancillary use. Zoning or policy direction from the Region would be beneficial.</li> </ul>
<p><b>13.</b> How can the Regional Official Plan support planning for employment on lands outside Employment Areas, and in particular, within Strategic Growth Areas and on lands that have been converted? What policies tools or approaches can assist with ensuring employment growth and economic activity continues to occur and be planned for within these areas?</p>	<ul style="list-style-type: none"> <li>• See responses to Question 11</li> <li>• Careful to ensure that office buildings are welcomed into these key growth areas. Particularly while policy makers are evolving their understanding of the impact of the pandemic with respect to the changing realities of work.</li> <li>• Existing office space market may have more vacancy which will impact the case for commercial builders to build new office.</li> <li>• Mixed use buildings which combine office space and residential uses in a condominium format face operational challenges. Is there some way for policy to support this mix of uses and highlight the need to change approaches in terms of the importance of achieving truly mixed and complete communities?</li> <li>• The Regional Official Plan could consider direction to establish a target ratio of people and jobs in Strategic Growth Areas. Research other best practices. The balance among residents and jobs, particularly in new Strategic Growth Areas will be challenging to achieve.</li> <li>• Policy should be written with the awareness that office uses take more time to come online (in one discussion the delay was in the order of 7 – 10 years) - Residential and retail typically come first.</li> </ul>

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Discussion Question	City of Burlington Response
	<ul style="list-style-type: none"> <li>• Regional policy could provide guidance for protecting lands for employment within the SGAs. This is not the traditional employment land protection but rather relates to delivering jobs alongside the development of housing in order to achieve the target ratio of residents and jobs.</li> <li>• Property tax exemption – holding lands for employment uses in Strategic Growth Areas may be a necessary incentive to land owners to be patient.</li> <li>• Build policy to require local planning for the development of space for employment in line with the Growth Plan on employment lands and within Strategic Growth Areas.</li> <li>• Consider the development of a Rural/Agricultural Community Improvement Plan or equivalent, or expand CIP funding to support programs at the local level. Ensure that the land use planning policy framework does not unnecessarily restrict the economic viability of the agricultural sector and that efforts to reduce ‘red tape’ across policy implementation processes are continued.</li> </ul>
<p><b>14.</b> Are there other factors, besides those required by the Growth Plan, Regional Official Plan or Integrated Growth Management Strategy Evaluation Framework that Halton Region should consider when evaluating the appropriate location for potential settlement area expansions?</p>	<ul style="list-style-type: none"> <li>• There is quite a strict framework already in place between the criteria in the Growth Plan, the Region’s Official Plan as well as the Growth Concepts Evaluation Framework established as part of the IGMS.</li> <li>• Cumulative impact assessment to address the permanent and irreversible loss of prime agricultural lands and the encroachment of non-agricultural uses, supported by comprehensive edge-planning policies that can be implemented as mitigation <u>requirements</u>, through Agricultural Impact Assessments. While it is understood that the PPS and Growth Plan do not require the permanent protection of prime agricultural lands outside of the Greenbelt Area, there are no established quantitative goals as it relates to preserving prime agricultural lands- when is the loss considered “too much”? What is the threshold at which point the</li> </ul>



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Discussion Question	City of Burlington Response
	<p>impact ceases to be “minor” and development does not proceed? This issue is further exacerbated by the overall lack of baseline data and comparative measures to qualify the meaning of a “viable” agricultural sector that is sensitive to the local context (beyond Census of Agriculture statistics). Consideration should also be given to opportunities for enhancement and restoration of remaining prime agricultural lands as mitigation measures.</p> <ul style="list-style-type: none"> <li>• The relationship between intensification/avoiding settlement area boundary expansions and protecting the agricultural and natural heritage systems should always be re-iterated as a key priority in discussions evaluating growth scenarios.</li> <li>• What about a retrospective approach to considering expansions over a longer time scale?</li> <li>• How is the Region assessing full life cycle? An example could be the City’s Fiscal Impact Study (2017) prepared by Watson and Associates</li> <li>• Any Settlement Area boundary expansions should be done so properly with an emphasis on the best environmental standards such as climate change adaptation and mitigation, efficient buildings, energy use, etc.</li> <li>• Staff recognize that proposed policy changes to the Growth Plan (through Amendment 1) will have an impact on settlement area expansions given that the proposed growth forecasts represent minimums which could result in more land needed to accommodate future growth.</li> </ul>
<p><b>15.</b> What factors are important for the Region to consider in setting a minimum Designated Greenfield Area (DGA) density target for Halton Region as whole, and for each of the Local Municipalities? Should the Region use a higher minimum Designated Greenfield Area density target than the 50 residents and jobs per hectare target in the Growth Plan?</p>	<ul style="list-style-type: none"> <li>• The Region should strive to achieve a higher density target given that the analysis conducted in the preparation of the Growth Scenarios report observed that recent developments in Halton’s newer DGAs significantly exceeds the minimum density target. The Region should continue to build on this success.</li> <li>• Furthermore, recent changes to the Growth Plan resulted in the DGA target applying only to the Community Areas (excluding</li> </ul>

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Discussion Question	City of Burlington Response
	<p>Employment Areas) with additional exclusions or net outs that are not factored into density target.</p> <ul style="list-style-type: none"> <li>• Consideration needs to be given on how employment land employment fits in the bigger picture given that these lands are no longer considered in the DGA target.</li> </ul>
<p><b>16.</b> Are there any additional considerations or trends that Halton Region should review in terms of the Regional Urban Structure component of the Regional Official Plan Review?</p>	<ul style="list-style-type: none"> <li>• Pandemic-related trends</li> <li>• Office market trends</li> <li>• Transportation and Transit ridership trends impacted by the Covid pandemic.</li> <li>• Working with the Local Municipalities on the Local Frequent Transit Networks.</li> <li>• The Region should clarify any intent to shift into the Region as a transit operator</li> <li>• Consider update to ROP through a series of amendments, rather than with one large amendment. Proceed first with MTSA delineation, followed by the Employment Area to enable the lower tier municipalities to move forward with implementing area specific planning work at the local level.</li> <li>• Fight against planning by numbers - use numbers where you need it and rely on policies otherwise.</li> </ul>
<p><b>Appendix C:</b> Proposed Technical Revisions to Halton's Employment Areas – A. Proposed Revisions to the Employment Areas in Burlington</p>	<ul style="list-style-type: none"> <li>• Review comments previously provided to the Region on the proposed changes.</li> </ul>
<p><b>17.</b> The introduction of new sensitive land uses within or adjacent to Employment Areas could disrupt employment lands being used for a full range of business and/or industrial purposes. Are there other land use compatibility considerations that are important when considering where employment conversions should take place to protect existing and planned industry?</p>	<ul style="list-style-type: none"> <li>• Land Use Compatibility is an important consideration. Given that the City is nearing build out issues of sensitive uses and employment uses are becoming more prevalent</li> <li>• Transportation issues and connections to major goods moving routes</li> <li>• Growth Plan policies already establish this important principle in developing policy related to employment areas within settlement areas (2.2.5.7)</li> </ul>

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Discussion Question	City of Burlington Response
	<ul style="list-style-type: none"><li>• “Prohibiting residential uses and prohibiting or limiting other sensitive land uses that are not ancillary to the primary employment use;”</li><li>• BEDC has highlighted the role of other levels of government that have legislation that we look to for guidance.</li></ul>
<b>18.</b> Having appropriate separation distances between employment uses and sensitive land uses (residential, etc.) is important for ensuring land use compatibility. What should be considered when determining an appropriate separation distance?	<ul style="list-style-type: none"><li>• The Region has a very good set of Land Use Compatibility Guidelines that assist in determining appropriate separation distances. There is always a need for that assessment to take place in the context of the specific uses in discussion.</li></ul>

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Natural Heritage	
<p><b>1.</b> As required by the Growth Plan, the new Natural Heritage System for the Growth Plan mapping and policies must be incorporated into the Regional Official Plan. Based on options outlined in Section 3.3, what is the best approach in incorporating the NHSGP into the ROP?</p>	<ul style="list-style-type: none"> <li>Option 2 seems most favourable- create a single constraint overlay, designate mapped key natural heritage features separately and distinguish any nuanced differences in permissions etc. through both policy and more detailed mapping shown in additional schedules.</li> </ul>
<p><b>2.</b> RNHS policies were last updated through ROPA 38. Are the current goals and objectives for the RNHS policies still relevant/appropriate? How can the ROP be revised further to address these goals and objectives?</p>	<ul style="list-style-type: none"> <li>Consider stronger policy options to implement objectives relating to enhancement and restoration</li> <li>Contemplate nuances between urban/rural, greenfield/developed in terms of RNHS goals and objectives and implementing policies (i.e. impacts to study scope and requirements for EIAs, subwatershed studies etc., impacts to buffer requirements)</li> <li>Consider enhanced recognition of ecosystem services/natural assets provided by the RNHS and climate change mitigation/adaptation</li> <li>Consider the relationship between cultural heritage landscape objectives and RNHS</li> <li>“Preserve the aesthetic character of natural features...”, consider incorporating language to reiterate the importance of ecologic/hydrologic function, in addition to aesthetics (which should be secondary)</li> <li>Consider means to avoid the impact of buffers evolving over time (e.g. lack of disturbance enabling successional growth) and eventually being integrated into a key feature and triggering the application of a new buffer. This is of particular concern in areas where detailed studies have not been conducted on the ground and boundaries are applied based on aerial imagery. How can buffer boundaries be clearly documented and maintained over time?</li> </ul>
<p><b>3.</b> Based on the discussion in Section 4.2, to ease the implementation of buffers and vegetation protection zones, should the Region include more detailed policies describing minimum standards?</p>	<ul style="list-style-type: none"> <li>See response to question 2 re: nuances between urban/rural, greenfield/developed (e.g. requiring a ROPA might be too extensive</li> </ul>

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	<p>in some circumstances but would be required frequently if stringent numbers were included in ROP)</p> <ul style="list-style-type: none"> <li>• Prefer to enhance Regional buffer framework rather than incorporating minimum standards into ROP- might end up being too difficult to reach consensus on a buffer that is on the more extensive side. Include a policy in the ROP to enact the framework, rather than incorporating a minimum through policy.</li> <li>• Could also develop policy that simply references the standard buffer (e.g. starts at 30m in x scenario) and will be refined through appropriate study at the time of application.</li> <li>• Supportive of incorporating VPZ requirements as outlined in provincial plans</li> </ul>
<p><b>4.</b> Given the policy direction provided by the PPS and Provincial plans, how should policy and mapping address the relationship between natural heritage protection and agriculture outside of the Urban Area or the Natural Heritage System? Options are provided in Section 5.3.</p>	<ul style="list-style-type: none"> <li>• Supportive of Option 2: mutually exclusive designations for Prime Agriculture and Key Natural Heritage Features, with remaining NHS shown as constraint overlay</li> <li>• Preference is to avoid scenarios where an underlying designation permits a set of uses that are almost entirely prohibited by an overlay. Reasonable constraints are expected in an overlay but near complete prohibitions make implementation challenging and can be confusing for applicants</li> <li>• Careful consideration must be given to the mapping of key natural features that do not prohibit agriculture (earth science ANSIs), to avoid unintended restrictions</li> <li>• The process for refining mapping that was not determined based on an on-the ground study or in-field observations should be clear and transparent for landowners</li> <li>• Consideration should be given to mapping/policy approaches in the rural vs. urban area, as there are unique factors in each area that make it difficult to apply a singular approach</li> </ul>
<p><b>5.</b> The Greenbelt Plan 2017 and Growth Plan 2019 require municipalities to identify Water Resource Systems (WRS) in Official Plans. Based on the two (2) options provided in Section 6.3, how should the WRS be incorporated into the ROP?</p>	<ul style="list-style-type: none"> <li>• The City is supportive of Option 1, where RNHS and WRS are combined to the extent possible (i.e. where they overlap), with policies to distinguish slight differences between Key NH Features vs</li> </ul>

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	<p>Key Hydrologic Features, and Key Hydrologic Areas mapped separately</p> <ul style="list-style-type: none"> <li>• Need to coordinate w/ other municipalities and conservation authorities within the same watersheds re: WRS mapping and policy implementation</li> </ul>
<p><b>6.</b> Preserving natural heritage remains a key component of Halton's planning vision. Should Halton Region develop a Natural Heritage Strategy and what should be included in such a strategy?</p>	<ul style="list-style-type: none"> <li>• The City is generally supportive of this concept</li> <li>• Identify critical areas for enhancement and securement efforts within the Region, with concrete/specific recommendations for actions and appropriate funding mechanisms</li> <li>• Opportunities for collaboration with NEC to better achieve the objectives of the world biosphere reserve in partnership with landowners</li> <li>• Explore opportunities to partner with other groups/agencies etc.</li> <li>• Recognize the contributions of rural land owners to preserving and enhancing natural heritage and their continued vital role in stewardship, rather than attributing the majority of the success of the NHS only to restrictive land use policies (which may actually discourage stewardship in some circumstances). Work with land owners to understand what will motivate them to participate as partners in additional stewardship programs and opportunities.</li> <li>• Support farmers in adopting practices and technologies for soil restoration/improvement through re-generative agriculture and explore opportunities to provide compensation for the ecosystem services provided for the greater public benefit (similar to programs such as Alternative Land Use Services) <ul style="list-style-type: none"> <li>○ See "Building Natural Capital (Forests and Agriculture)" section of Corporate Knights 2020 Report: <a href="#">Building Back Better with a Bold Green Recovery</a></li> <li>○ This comment also applies to climate change mitigation and adaptation measures, should there be consideration of Regional strategy or action plan</li> </ul> </li> </ul>
<p><b>7.</b> Should the ROP incorporate objectives and policies to support/recognize the Cootes to Escarpment EcoPark System?</p>	<ul style="list-style-type: none"> <li>• The City is generally supportive of recognizing the importance of the Cootes to Escarpment EcoPark System but cautions careful consideration (involving program partners, including private land</li> </ul>

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	owners) of any approach that would embed components on the strategy/management plans directly in Official Plan policy. Thus far, the Cootes to Escarpment EcoPark System has been successfully developed as a voluntary partnership, which could be impacted by formal inclusion in the Regional Official Plan.
<b>8.</b> The Regional Official Plan is required to conform to applicable Source Protection Plans and must be updated through this ROPR process. What is the best approach to address Drinking Water Source Protection policies and mapping?	<ul style="list-style-type: none"> <li>• Supportive of incorporating SPP mapping in ROP, include more generalized policy to reference schedule that will indicate which SPP plan applies to a given area and then refer to that plan for detailed policies</li> </ul>
<b>9.</b> The ROP is required to conform to the updated Natural Hazard policies in the PPS. What is the best approach to incorporate Natural Hazard policies and mapping?	<ul style="list-style-type: none"> <li>• Supportive of Option 3</li> <li>• If RNHS contains floodplains, there should be policies to distinguish where the floodplain has actual ecological value/merit that warrants its inclusion in NHS mapping. Separate mapping should also be available to clearly distinguish where natural hazards exist.</li> </ul>
<b>10.</b> How can Halton Region best support the protection and enhancement of significant woodlands, through land use policy?	<ul style="list-style-type: none"> <li>• Natural Heritage Strategy presents an opportunity to hone in on partnership opportunities to better support landowner stewardship and reflect the greater public benefit that is achieved by individual landowners maintaining these features</li> <li>• See response to question 2 for ecological function over aesthetic value, and also in relation to enhancement and restoration</li> </ul>
<b>11.</b> Are there any additional considerations or trends the Halton Region should review in terms of the Natural Heritage component of the ROP?	<ul style="list-style-type: none"> <li>• Develop a policy to enable more frequent updates to RNHS mapping (i.e. outside of MCRs)</li> <li>• Review the definition of 'development' in the context of triggering various study requirements, such as EIAs, to clarify applicability to various scenarios. The Agricultural community has expressed concerns with study requirements in situations where no planning act application is required- is there a way to provide additional clarity around this issue?</li> </ul>

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Rural & Agricultural System	
<p><b>1. Mapping options</b>  A. Should the updated ROP designate prime agricultural areas with a separate and unique land use designation?  B. Are there any additional pros and cons that could be identified for any of the options?  C. Do you have a preferred mapping option? If so, why?</p>	<ul style="list-style-type: none"> <li>• See answer to NHS discussion paper questions 1 and 4</li> <li>• Previous direction from Regional Council with respect to the designation of prime agricultural areas should also be noted and considered.</li> </ul>
<p><b>2. Agriculture-related uses</b>  A. Should the ROP permit the agriculture-related uses as outlined in the Guideline on Permitted Uses in Ontario's Prime Agricultural Areas in its entirety?  B. What additional conditions or restrictions should be required for any agriculture-related uses?  C. Should some uses only be permitted in the Rural Area as opposed to Prime Agricultural Lands?</p>	<ul style="list-style-type: none"> <li>• A. B. Provincial guidelines should be encouraged as the common basis/minimum requirement with flexibility for municipalities to refine policies to suit local context</li> <li>• ROP should simply state that these uses shall be permitted and direct local municipalities to implement policies in their OP in a manner that should be consistent with the Provincial guidelines. Regional guidelines for on-farm businesses should be discontinued.</li> <li>• Consideration should be given as to how agriculture-related uses will be implemented for agricultural operations that are considered an <i>existing use</i>- additional restrictions should not apply and these uses should be permitted as long as they meet existing use policy requirements (i.e. expansion/intensification of an existing use), while recognizing that agricultural operations change and evolve constantly over time and must have the flexibility to do so to remain viable.</li> <li>• C. No- this wouldn't be consistent with Provincial policy</li> </ul>
<p><b>3. On-farm diversified uses</b>  A. Should the ROP permit on-farm diversified uses as outlined in the Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas in its entirety?  B. What additional conditions or restrictions should be required for any on-farm diversified uses?  C. The Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas limit on-farm diversified uses to no more than 2 percent of the</p>	<ul style="list-style-type: none"> <li>• Provincial guidelines should be encouraged as the common basis/minimum requirement with flexibility for municipalities to refine policies to suit local context</li> <li>• ROP should simply state that these uses shall be permitted and direct local municipalities to implement policies in their OP in a manner that should be consistent with the Provincial guidelines. Regional guidelines for on-farm businesses should be discontinued.</li> </ul>



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<p>farm property on which the uses are located to a maximum of 1 ha. As well, the gross floor area of buildings used for on-farm diversified uses is limited (e.g. 20 percent of the 2 percent). Are these the appropriate size limitations for Halton farms?</p>	<ul style="list-style-type: none"> <li>• Consideration should be given as to how on-farm diversified uses will be implemented for agricultural operations that are considered an <i>existing use</i>- additional restrictions should not apply and these uses should be permitted as long as they meet existing use policy requirements (i.e. expansion/intensification of an existing use), while recognizing that agricultural operations change and evolve constantly over time and must have the flexibility to do so to remain viable.</li> </ul>
<p><b>4. To what extent should the updated ROP permit cemeteries in:</b>  A) Urban areas  B) Rural areas  C) Prime agricultural areas  Explain the criteria e.g. factors that are important to you, that should be considered when evaluating cemetery applications for each?</p>	<ul style="list-style-type: none"> <li>• A. and B. Policies should be examined for opportunities to better incorporate planning for long-term cemetery needs as a component of complete communities. This should be supported by a cemetery land needs analysis.</li> <li>• C. -Not supportive of locating cemeteries in Prime Agricultural areas</li> <li>• Policies regarding consideration of non-agricultural uses in prime agricultural areas should be strengthened, utilizing Provincial guidelines</li> <li>• It is challenging to comment on how cemeteries should be addressed in rural &amp; urban areas in the absence of a cemetery land needs analysis that complements the IGMS work</li> <li>• Duration of cemeteries (i.e. typically planned for 100 years) is a key consideration in Prime Agricultural areas, given that it will take the Prime Agricultural land out of production permanently (in this case, how would the Prime Agricultural designation be impacted? Since lands cannot be re-designated outside of a settlement area expansion)</li> <li>• In terms of cemeteries as a component of 'complete communities', is proximity a factor in application evaluation? I.e. to urban uses and transportation infrastructure</li> <li>• Policies encouraging and supporting the upgrading and renewal of existing cemeteries to extend capacity should be considered</li> <li>• The relationship between cemeteries and the natural heritage system, park lands and public space should also be evaluated to</li> </ul>

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	<p>identify innovative or emerging opportunities to address the challenges associated with cemetery demand and limited land supply. For example, cemeteries with multi-use facilities (event space, park space etc.) can provide greater benefit to the community over the long-term, even once the site has reached capacity. Perhaps they could even be encouraged through a Community Improvement Plan.</p>
<p><b>5.</b> Do the AIA policy requirements in the ROP sufficiently protect agricultural operations in the Prime Agricultural Area and Rural Area? If not, what additional requirements do you think are needed?</p>	<ul style="list-style-type: none"> <li>• AIA requirements should be streamlined with updated Provincial requirements when they are released.</li> <li>• The need for a separate, Region-specific guidance document should be re-evaluated once the Provincial guidelines are available.</li> <li>• Additional requirements could likely be incorporated via policy, rather than a separate guidance document.</li> <li>• The local municipal role in evaluating AIAs should be clarified and enhanced, particularly for applications where the local municipality is the approval authority (e.g. consents).</li> <li>• Guidance should be refined to allow additional flexibility in scoping study requirements (e.g. acknowledging the differences between a consent application for lot addition vs lot creation).</li> <li>• Policies should be refined to acknowledge the broader concept of the agricultural <i>system</i> based on updated provincial definitions/policies, which extends evaluation beyond just the physical land base and traditional soil-based production. Agricultural buildings and structures should not be viewed as ‘taking land out of production’ and it should be clear that agriculture-related and on-farm diversified uses do not require an AIA if established policy requirements are met.</li> <li>• Given the severely limited supply of prime agricultural lands and the numerous constraints to near-urban agriculture, a lack of agricultural infrastructure should not be weighted so heavily as justification for the removal of prime agricultural lands on the basis that ‘investment is low’ and the impacts are ‘minor’. Over the long-term and on a cumulative basis, the impacts of</li> </ul>

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	<p>continuous removal of PA lands will not be minor. Both cumulative effects and the temporal scale of impacts should be factored into AIAs.</p> <ul style="list-style-type: none"> <li>• Could a funding program be developed utilizing funds secured through mitigation requirements based on Agricultural Impact Assessments? I.e. where prime agricultural lands are permanently taken out of production, could project proponents be required to contribute to a fund for restoration and enhancement of prime agricultural lands to mitigate the impacts of the loss? Similar to how a tree removal by-law works, to ensure continued improvement of forest cover over time.</li> </ul>
<p>6. Should the requirements for an AIA be included in any other new or existing ROP policies?</p>	<ul style="list-style-type: none"> <li>• The City does not have any recommendations at this time and instead recommends developing a means to assess/measure the effectiveness of AIAs as it relates to protecting the agricultural system and to complement the recommendations provided in the City's response to question 5.</li> <li>• If the impacts are not being assessed against any meaningful baseline data or established goals/targets in relation to agricultural viability, their effectiveness is limited. For example, how many AIAs have been undertaken in Halton Region since ROPA 38? Did any applications fail to proceed as a result of an AIA? What sort of mitigation measures were required? How many hectares of agricultural land were preserved as a result of an AIA? How many hectares of agricultural land were lost despite an AIA? What are the Region's quantitative and qualitative goals for preserving agricultural lands, and what is threshold at which impacts cease to be 'minor'? How will we avoid continuous encroachment/fragmentation due to the incremental introduction of non-agricultural uses?</li> <li>• Review the definition of 'development' in the context of triggering various study requirements, such as AIAs, to clarify applicability to various scenarios. The Agricultural community has expressed concerns with study requirements in situations where</li> </ul>

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	no Planning Act application is required- is there a way to provide additional clarity around this issue?
<b>7.</b> Should special needs housing be permitted outside of urban areas and under what conditions?	<ul style="list-style-type: none"> <li>• Staff are generally supportive of special needs housing outside of the urban area where residential uses are permitted (in accordance with provincial policy) provided that health, safety and other reasonable planning standards are met (i.e. adequacy of servicing, provision of parking, etc.).</li> <li>• Discussion should address the distinction between special needs housing as a residential use versus an institutional use, and distinguish what is appropriate between rural areas, rural settlement areas and prime agricultural areas.</li> </ul>
<b>8.</b> Are there any additional considerations or trends that Halton Region should review in terms of the Rural and Agricultural System component of the ROP?	<ul style="list-style-type: none"> <li>• Agricultural policies should clarify the Region's objectives by providing a clearer explanation of agricultural viability and how it is measured. If the Region includes lot size as a factor in assessing applications in the agricultural area, guidance should be provided around how this is to be evaluated (qualitatively- the City is not recommending that a prescriptive number be introduced), while also acknowledging the unique conditions of near-urban agriculture.</li> <li>• Policies should clarify the concept of taking agricultural land 'out of production' to aid in policy implementation. Not all agriculture is soil based and agricultural operations should not be penalized for constructing agricultural buildings/structures or taking advantage of agriculture related and on-farm diversified use permissions, as they are a component of agricultural production and the overall agri-food network.</li> <li>• Careful consideration is required in terms of the full implementation of these policies through related policies and processes (e.g. zoning, site plan control, development charges, taxation, business licensing etc.)</li> <li>• Language around a 'thriving' agricultural sector should be adjusted to avoid creating a potentially un-founded sense of viability in the agricultural area that may encourage complacency (e.g. not going beyond meeting basic policy conformity</li> </ul>

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	<p>requirements). The agricultural system is characterized in a manner that is similar to the natural heritage system, yet the impact of policy implementation is not the same.</p> <ul style="list-style-type: none"><li>• The three maps demonstrating the chronological evolution of the NHS paint a positive picture (though supplementation with data on the level of ecological function/integrity is desirable) yet a similar map for the agricultural system would likely to show a system in perpetual incremental decline. The majority (though not all) of statistics from the Census of Agriculture are also likely to show a general downward trend with no true cap on the loss of agricultural lands due to the lack of permanent protection and overall lack of investment in economic development.</li><li>• Additional comparative analysis is also desired, i.e. Burlington may have a relatively higher average Gross Farm Receipt value than some other municipalities, but it does not indicate a positive trend if all of the municipalities within the sample have below average Gross Farm Receipts. Another statistic of concern is the average age of farm operators- while the number of farms and hectares of land in production may have somewhat stabilized over time, there is risk of a significant and sharp decline as a vast cohort of farmers reach retirement age in coming years, without succession planning in place to maintain continuity and with land values that prevent transference of ownership to a new generation of farmers. This is further impacted by the impacts of a changing climate and its potential to drastically affect the agricultural sector.</li><li>• For these reasons, evaluation must also consider and measure against potential future trends, rather than only focusing on past and current information. This would enable goal/target setting that would more accurately reflect the true state of the agricultural system and the impact of policies and would support consistent and transparent decision-making.</li><li>• This type of comparison requires a great deal of additional context-specific supplementary data to be considered truly</li></ul>
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	<p>meaningful. The protections established in policy are a necessary and positive first step and have certainly enabled the agricultural system to 'survive', but the current ROPR presents an opportunity to build on these protections and develop a more contemporary and adaptive approach that enables the agricultural system to 'thrive'.</p>
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North Aldershot	
1. Given the environmental and other provincial policy constraints, what are appropriate future land uses that should be permitted in the North Aldershot area?	<ul style="list-style-type: none"><li>• Rural uses in keeping with provincial policies, e.g. cemeteries, recreational uses, agricultural/agriculture related/on-farm diversified uses etc., while recognizing unique existing permissions (e.g. minutes of settlement)</li></ul>
2. Are there any additional considerations or trends that Halton Region should review in terms of the North Aldershot area review of the ROP?	<ul style="list-style-type: none"><li>• Long-term viability of inter-municipal servicing agreements (e.g. Bridgeview)</li><li>• Review previous reports/discussions re: Waterdown Rd/Hwy 403 interchange</li><li>• Aggregates could be considered</li></ul>

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Climate Change	
<p><b>1.</b> Have you felt the impacts of climate change on your community? What impacts are of most concern to you in the next 20 years?</p>	<ul style="list-style-type: none"> <li>• Future impacts of concern include warmer, wetter and wilder weather which result in: <ul style="list-style-type: none"> <li>○ increase in the number and length of heat waves and extreme heat events;</li> <li>○ more frequent intense storms (precipitation) leading to localized flooding;</li> <li>○ Lake Ontario ice free season extended causing shoreline damage;</li> <li>○ increased wind gust events;</li> <li>○ increased number and range of invasive species due to warmer weather impacting both humans (West Nile Virus, Lyme Disease, etc.) and the natural environment (Emerald Ash Borer, etc.).</li> <li>○ cross-cutting impacts along shoreline of Lake Ontario and Burlington Bay. Examples of warmer, wetter and wilder weather include: <ul style="list-style-type: none"> <li>▪ Dec 2013: Ice storm</li> <li>▪ Aug 2014: Flooding</li> <li>▪ High Lake Ontario levels in 2017, 2019 and early 2020</li> </ul> </li> </ul> </li> </ul>
<p><b>2.</b> How do you think the Regional Official Plan can help Halton respond to climate change? What mitigation and adaptation actions would you like to see embedded in the ROP?</p>	<ul style="list-style-type: none"> <li>• Focus on natural heritage enhancement, valuing ecosystem services, green infrastructure for example urban forestry, stormwater, parks and open space, agriculture and urban agriculture, and green roofs and walls.</li> <li>• Move away from “balancing all modes” and instead prioritize transit and active transportation. Avoid road widenings for the sole purpose of accommodating single occupancy vehicles.</li> <li>• Address impacts of increased populations in urban areas including urban heat island (UHI) effect for example more paving means more heat which will intensify with climate change. <ul style="list-style-type: none"> <li>○ Reduce UHI though green roofs (multiple benefits), more trees (with space to mature) and natural/native</li> </ul> </li> </ul>



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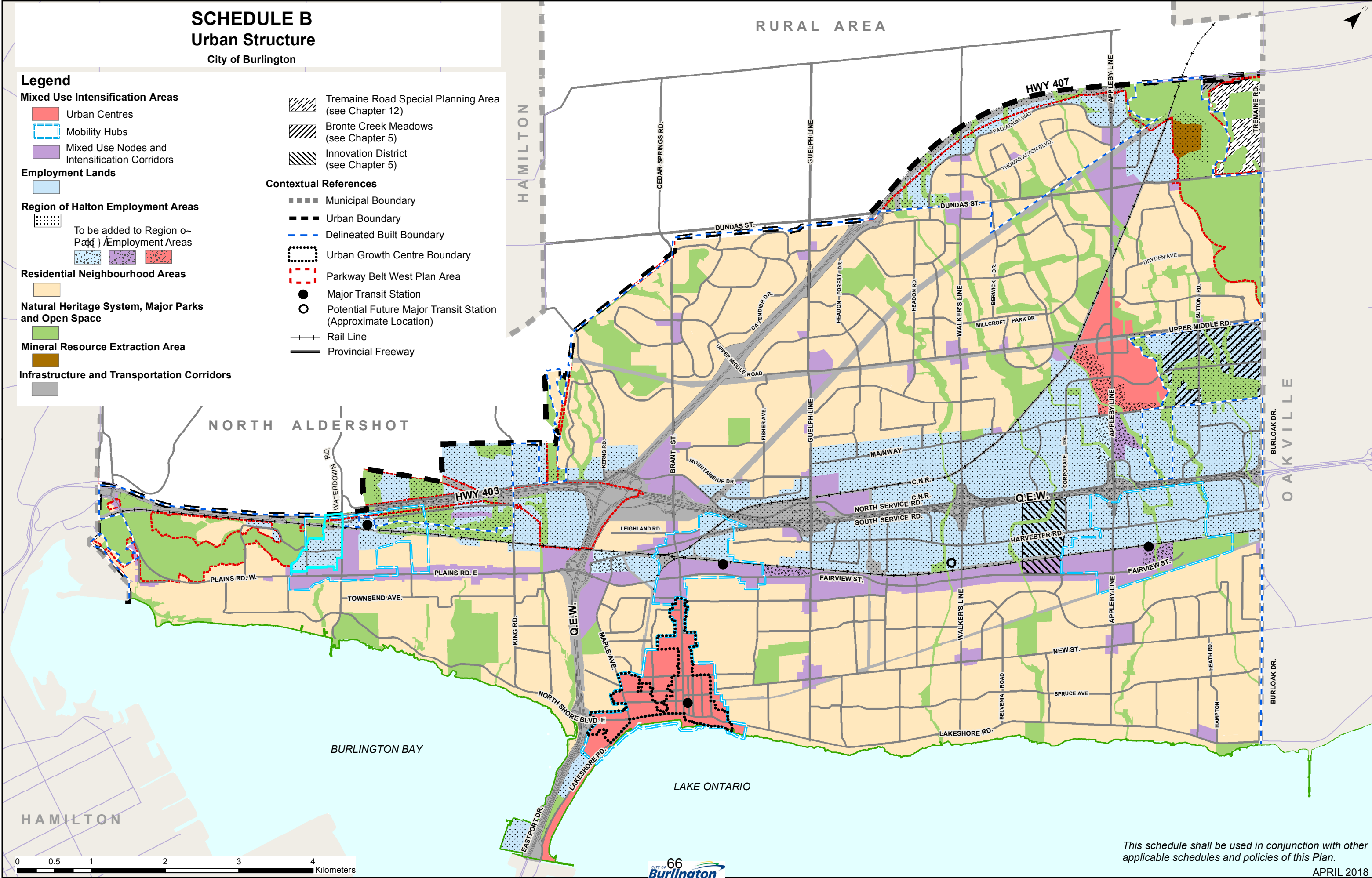
	<p>landscaping with increased consideration for xeriscaping where appropriate to account for decreased rain and more heat in summer, 'green' features throughout urban area.</p> <ul style="list-style-type: none"> <li>○ Green infrastructure and also help to reduce impacts of more intense and frequent rain events.</li> <li>• Address equity and access to greenspace</li> <li>• Implement green building guidelines to incorporate the above (for mitigation and adaptation)</li> <li>• Encourage passive building design</li> <li>• Discourage over use of glass in building design as it is inefficient energy wise, does not allow one to 'shelter in place' in case of emergency situation including power outages as the unit will be too hot or too cold in extreme weather events. Also creates waste generation in a few years as glass will have to be replaced.</li> <li>• Build infrastructure for future climate change scenarios (increased intense rain events and heat) not present or past.</li> <li>• Encourage urban gardening and local food policies</li> <li>• Promoting electric vehicle infrastructure for new and emerging sustainable modes of transportation such as e-scooters and e-bikes.</li> </ul>
<p><b>3.</b> Halton's population is forecast to grow to one million people and accommodate 470,000 jobs by 2041.</p> <p>What do you think about policies to plan for climate change through more compact urban form and complete communities? In your opinion, are we growing in the right direction?</p>	<ul style="list-style-type: none"> <li>• Establishing an urban structure to focus growth in strategic areas and create complete communities is supported</li> <li>• More compact complete communities if planned well will encourage active and sustainable forms of transportation. They will also help to support district energy projects.</li> <li>• While we need to ensure we plan for more efficient, compact communities to reduce GHGs, we also need to ensure these communities are built to our future climate conditions.</li> <li>• Reverse trend in closing local schools and moving towards 'mega schools' as this discourages kids to walk/bike to school.</li> <li>• More comments may be provided pending outcomes of IGMS work</li> </ul>

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<p><b>4.</b> What do you think the Region should be doing to help you reduce your GHG emissions? For example, if you typically commute by car to work or school every day, what would make you consider taking transit, biking, walking?</p>	<ul style="list-style-type: none"> <li>• Regional support for local municipal priority transit corridors/grid network for example better alignment between local municipal transit priorities and Regional investment. Same goes for local growth priorities, supporting local urban structure etc.</li> <li>• Inter-municipal alignment/seamless service integration</li> <li>• More flexibility with respect to context-sensitive design of Regional roads, particularly through rural areas and 'main street' areas of downtowns etc.</li> <li>• Promote job growth in alignment with transit corridors.</li> <li>• Consider implications on current working from home situation and potential future impacts. For example, supporting co-working spaces in condo buildings.</li> <li>• Need safe routes to cycle (protected lanes); wide sidewalks for walking; safe crossing points for pedestrians and cyclists across major roadways and highways. Infrastructure provision for scooters and e-bikes should be provided in road allowances and not addressed in parks and trails to avoid conflict of use.</li> <li>• Support for EV charging stations; ensuring new and retrofit buildings have infrastructure for EV charging station.</li> <li>• Plan for future car sharing opportunities.</li> <li>• Consider first and last mile opportunities.</li> <li>• Consider implications of automated vehicles as this could lead to an increase in vehicles on the road and an increase in emissions.</li> </ul>
<p><b>5.</b> Do you think the Region should encourage and support local renewable energy sources? If so, what should be considered?</p>	<ul style="list-style-type: none"> <li>• Supportive in principle subject to appropriate study and context of individual projects</li> <li>• Renewable energy implementation is important to offset plans to decarbonize buildings (reducing the use of fossil fuels).</li> <li>• Limit restrictions for solar installations.</li> <li>• Incorporate into sustainable building policies.</li> <li>• Show policy leadership with Regional facilities</li> </ul>
<p><b>6.</b> Can you provide examples of opportunities to address climate change as it relates to agriculture that you would like to see in Halton?</p>	<ul style="list-style-type: none"> <li>• Ensure local municipalities have the ability to decide what is appropriate for their communities</li> </ul>

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<b>7.</b> Are there any additional opportunities to address climate change related to the Agricultural System?	<ul style="list-style-type: none"> <li>• Support agricultural community in on-farm diversification to increase resiliency to the impacts of a changing climate</li> </ul>
<b>8.</b> According to the PPS, 2020, planning authorities are required to consider the potential impacts of climate change in increasing risks associated with natural hazards (e.g. fires and floods).  How can ROP policies be enhanced to address climate change impacts on natural hazards?	<ul style="list-style-type: none"> <li>• Check in with Conservation Halton etc. Consider current and potential flood zones and prevent building in these zones. Ensure adequate setbacks for properties.</li> <li>• Will the Region be consulting with MNRF with respect to assessing wildland fire risk?</li> <li>• Increase use of green infrastructure to deal with water onsite, such as green roofs, permeable pavers and tree pits. This also contributes to reducing flow and improving water quality.</li> </ul>
<b>9.</b> Are there additional measures the ROP should include to improve air quality?	<ul style="list-style-type: none"> <li>• See comments re: transportation for questions 2 and 4</li> <li>• Measures to reduce idling should be uniform and enforceable</li> <li>• idling bylaws should be introduced across Region</li> <li>• Ensure existing greenspaces protected and increased where possible especially in urban centres</li> <li>• Maintain and enhance survivability of urban trees</li> <li>• Ensure adequate plans for tree planting and landscaping with all developments particularly in urban centres to help mitigate UHI effect</li> </ul>



## HALTON REGIONAL OFFICIAL PLAN REVIEW BURLINGTON AGRICULTURAL AND RURAL AFFAIRS ADVISORY COMMITTEE FEEDBACK

WHEREAS, City staff will be engaging with Halton Region throughout the Regional Official Plan Review process, and communication and collaboration with the agricultural community at the earliest stages of policy development will be critical in ensuring sensitivity to local context;

NOW THEREFORE BE IT RESOLVED THAT the Burlington Agricultural and Rural Affairs Advisory Committee (BARAAC) requests that Council direct staff to consider the following general recommendations throughout the City's participation in the Regional Official Plan Review process:

- Policies should be streamlined across the City, Region, Province and Conservation Authorities through consistent language and avoidance of unnecessary duplication. Mapping should be ground-truthed, clearly delineated, consistent across all agencies, and accessible to landowners, with clear corresponding policies to convey the implementation priority of the various designations and overlays, particularly in relation to Prime Agricultural Areas and the Natural Heritage System.
- Permitted uses should default to the most permissive applicable Provincial policies and, where more restrictive policies are proposed, a comprehensive study and public engagement process should be undertaken to provide appropriate planning justification and documentation of policy intent.
- Notice to landowners for proposed Official Plan mapping changes should be on an individual basis. Notices should be robust and direct (e.g. direct mail), as local print media is often not available to rural residents. Notices should be accompanied by a plain language explanation of why the changes are occurring and which data are informing the updates. The process for ground-truthing schematic mapping that represents a policy framework, rather than data verified at the site level, should be explained (i.e. refinement of Natural Heritage System or Regulated Area mapping).

WHEREAS, City staff will be submitting a formal response to the five Regional Official Plan Review discussion papers released on July 15, 2020 for a 75-day consultation period, and has engaged with BARAAC to provide feedback in relation to the 'Rural and Agricultural System' and 'Natural Heritage' papers;

NOW THEREFORE BE IT RESOLVED THAT BARAAC requests that also Council direct staff to consider the following detailed recommendations throughout the City's participation in the Regional Official Plan Review process, in addition to the general recommendations provided above, and that these recommendations be circulated to Halton Region as part of the City's submission:

### ROPA 38 REVIEW

At a minimum, some review of the ROP performance relative to desired outcome should be undertaken before amendment policies are suggested i.e. a review of policy in terms of achieving positive outcomes for agriculture as compared to just creating policy that meets planning requirements. Other review goals should include: making the amended ROP clearer and more easily interpreted, reducing policy duplication, and to review municipal *implementation*. Another useful review area would be what policies motivates land stewardship?

The current discussion paper does not appear to have considered policy implementation issues, or review on the ground or user impacts of policy options. It also does not recognize or reference the 2019 Regional Council Motion on ROP Designation of Agricultural land.

A conformity exercise vis-a-vis Provincial Policy should not be the focus of the review but should rather be seen as secondary to achieving desired Agricultural and Rural outcomes.

The ROPA 38 “Agricultural System” was developed through the OMB process without appropriate public consultation. The PPS 2020 now clearly defines the **Agricultural System** as

“A system comprised of a group of inter-connected elements that collectively create a viable, thriving agricultural sector. It has two components:

- a) An agricultural land base comprised of *prime agricultural areas*, including *specialty crop areas*, and *rural lands* that together create a continuous productive land base for agriculture; and
- b) An *agri-food network* which includes *infrastructure*, services, and assets important to the viability of the agri-food sector.”

What does “Consideration should be given to adding a “made in Halton” definition mean? What is wrong with this definition that needs to be addressed?

#### TIMELINE & PUBLIC CONSULTATION PROCESS

The timeline is not adequate to accommodate a complete review and communicate the issues back to the Region with time to resolve them before decisions are made; particularly given that BARAAC would need to review 4 separate discussion papers in order to understand all the policy impacts in Rural Burlington.

There is no outlined opportunity for consultation between discussion paper and drafting of ROPA wording. As we learned in ROPA 38, 75 days for review of policy wording is not enough for Regional Council to have detailed understanding of policy issues before voting.

It is not clear how discussion paper will lead to phase 3 and what, if any, role our input will have.

A 161 Page Technical Background report is linked to the Discussion Paper through the Region’s website. It was created in April 2019, but it is the first time BARAAC has seen this report.

Page 34 and 35 of the discussion paper include incomprehensible mapping including up to 37 “Areas for discussion” and “Areas for Discussion - Candidate areas”. There is no reference as to what is being discussed.

The HRFA has previously submitted a paper on a review of ROPA 38 process and suggested improvements. No changes appear to have been made.

The Halton Agricultural Advisory Committee was not involved in the review process or discussion paper. Given that this is supposed to be Regional Staff’s review and recommendation body for Agricultural policy in Halton, why not?

## PRIME AGRICULTURAL AREAS & NHS

There are multiple places in this report and in the Region's communications where Agricultural and Rural areas are presented as separate from the Region's NHS. It is, for example, impossible for the "outcomes of the two topic areas" to have "close alignment" as their goals are primarily divergent. Recognition that the NHS is a constraint layer that restricts many Agricultural and Rural uses and makes public assets out of private land is fundamental in advancing a genuine planning discussion. Further, there should be recognition that it is landowners who have improved NH over time and not Halton's more rigorous mapping and policy. In fact, BARAAC would posit that it is likely that increased NH regulation is now and will continue to discourage landowners from enhancing NH. Finally, it is impossible to review and comment on the Rural and Agricultural discussion paper's goals to "support" Agriculture separate from the "constraint layer" presented in an entirely different document.

Regional Council (Report No. LPS45-18) directed staff to "Provide for the agricultural system as a land use designation", and for "the natural heritage system as an overlay". However, the first discussion question is "Should the updated ROP designate prime agricultural areas with a separate and unique land use designation?".

The Province has allowed the fragmentation of Prime Agricultural Mapping by Key features (from the discussion paper: *"In discussions with the Province, it was agreed that Key Natural Heritage Features of the NHS may be designated."*) The appropriate planning question is, should the ROP designate Key features. Given that not all the Key features should exclude agriculture (i.e. Earth Science ANSIs) and that not all the key features are accurately mapped (and further, that some may change over time).

***BARAAC recommends NOT designating Key Features.***

Requirements to protect key features of the Natural Heritage System based on the "no negative impact" principle should be implemented in a manner that better mitigates negative impacts to agricultural viability (i.e. land use constraints). Stewardship should be encouraged through additional measures that appropriately recognize the public benefits provided through on-farm protection and enhancement of the Natural Heritage System.

Environmental Impact Assessment (EIA) requirements and guidelines for agricultural uses should be clarified in relation to Provincial policies. Examples/case studies of the types of issues being addressed through EIA requirements would clarify the intent and applicability of Regional policies. A cost/benefit analysis of implementation requirements for the Region, local municipalities and project proponents, is also recommended.

## MAPPING OF PRIME AGRICULTURAL AREAS

The mapping section is confusing and it is not clear if it is being discussed for change or if the changes are to be discussed.

A footnote refers to DBH Soil Services Inc being retained to assist in mapping review, but there does not seem to be reference to their actual report.

Are the candidate areas still to be reviewed?

From the discussion paper *"Rationale is required by the Province for any particular area (prime)"*



*identified that is not brought into Regional mapping.” Where is this rationale?*

One of the most urgent needs in this update is a granular understanding of how policies will be implemented ON THE GROUND. If the Region truly wants meaningful feedback, the public needs to be able to locate and delineate areas on properties. With all the Additional Resources provided online, why not include detailed mapping? For example: What are the differences between Provincial and Regional Mapping? What and where are the candidate areas? What is the actual increase in Prime Agricultural Area? Further, maps need not “look busy” digitally as layers can be applied or removed.

#### AGRICULTURE-RELATED, ON FARM DIVERSIFIED AND AGRI-TOURISM USES

The best way that Regional planning can support Agriculture (the only reason there is NHS to protect incidentally) and avoid deleterious unintended consequences, is to be as PERMISSIVE as possible in applying PPS policy, leaving necessary and justified constraints to local planning (as long as they are not more permissive than OMAFRA guidelines). In Burlington specifically, small, fractured, near-urban farming requires all of these diversification tools to remain viable.

#### CEMETERIES

The Region should be able to plan for cemeteries as part of the Urban planning, particularly the large commercial ones. Allowing smaller local ones in Rural designation, perhaps as an appropriate urban-rural buffer, is probably ok but not on Prime Agricultural land.

#### EIA AND AIA GUIDELINES

Environmental Impact Assessment Guidelines were updated mid-summer 2020 but have not been provided and are not discussed here (though they are touched on in the technical background report). Why?

It would be best to make clear where an AIA will be required and most importantly where it will not. For example, a Surplus Farm Dwelling severance application would be considered “development” and could impact Agriculture but should not trigger an AIA. Requiring an AIA for smaller projects is counterproductive and tends to ensure only big projects are applied for. Small renewable energy and other additional on farm uses should be exempt.

#### NORTH ALDERSHOT

While there is some agriculture still taking place in the area the planning framework is very complicated. Given the timeline and lack of resources, BARAAC has not reviewed this discussion paper.

#### REGIONAL NATURAL HERITAGE SYSTEM

The discussion paper seems to make the conformity with the growth plan into a very complex issue. The reality is the complexity comes from trying to alter it to fit a Regional agenda that is proving to be unworkable in implementation. Using an overlay approach for NHS in the rural area (can be designations in Urban) is standard planning and is already done for Greenbelt NHS.



There are 3 options presented for implementation. If they all implement the NHS as an overlay the main issue becomes which overlay. There is not enough information to evaluate this. It would depend on how similar the respective policies are. On the other hand, if as option 1 might be stating (and it is unclear in the other 2), the intent is to keep the RNHS as a designation with an additional NHS overlays this will cause problems for the rural area and adds needless complexity.

The “precautionary principal” is introduced. This is not likely to work well for agriculture. There needs to be a more balanced approach and not just for agriculture but all normal rural uses. The precautionary principal should not be explicitly included in the ROP. In all cases it is better to set out the required criteria in detail, so it is clear to all.

Buffers and Vegetative Protection Zones are referenced along with a document produced by the Region. Quote “The Region has developed a working document called the “Framework for Regional Natural Heritage System Buffer Width Refinements for Area-Specific Planning””. This document has not been reviewed. There does not appear to be any advantage for the rural area in changes to the ROP for buffers accept as follows.

Completely absent from the discussion papers is the concept of buffers on buffers. In the rural area it is not uncommon for a landowner to buffer a NH feature because they feel it is a good idea, as part of a conservation initiative, or as requirement through the regulatory process. Over time these buffers become incorporated in NH designation and the landowner finds themselves wanting to change something but now having to provide a new buffer from the old buffer. This should be included as an issue.

## Modified Option 2 Proposal

As in Figure 10 (page 24) of the Region's Rural and Agricultural Discussion Paper, Prime Agricultural Area is a designation, as are Rural areas.

However, rather than Key Features being a designation, we apply a "made in Halton" approach, creating a subset of Key Features called Protected Areas.

Protected Areas become a designation and are protected from ALL development activity, including Agricultural and Rural development activity.

Key Features (in their entirety) are then included in NHS as an overlay; a single system where all NHS is equally important (a recognized problem with the original option 2 proposal).

This modified option implements Agricultural and Rural designations that enable all provincially permitted uses except in Protected Areas, where the primary criteria is sensitive environment that should be excluded from normal agricultural and rural uses. Not all Key Features constrain or should constrain these normal uses. An example would be an Earth Science ANSI. In this option, Protected Areas would not include Earth Science ANSI's, but could include, in contrast, provincially significant wetlands.

The secondary criteria for inclusion as a Protected Area, would be that it is clearly delineated and mapped in a way that can be implemented. For example, Provincially Significant Wetland mapped by the Province could be included, while aerial photo interpretation of tableland woodlands might not be implementable.

This option provides clarity surrounding permitted uses, keeping in mind those permitted uses are still constrained by Conservation Authority and the Niagara Escarpment Commission.

Under this modified option, the NHS overlay, including Key Features, would protect the entire Rural area from more extensive development, i.e. those that require a Planning Act application. Under a Planning Act application an EIA and AIA can be required and those studies would delineate the NHS boundaries. It is important to note that: building permits are not development under the planning act, the Region's policies on scoping and waiving EIA's should remain, and that it would be appropriate to explicitly exempt some minor planning act applications such as a Minor Variance or Surplus Farm Dwelling Severance.

This option would also propose the formation of a working group (such as HAAC, along with BARAAC and local planning staff) to create a "test" and review what should be included or excluded from the Protected Areas; ie should be protected from permitted Agricultural and Rural uses and can be clearly delineated and mapped.

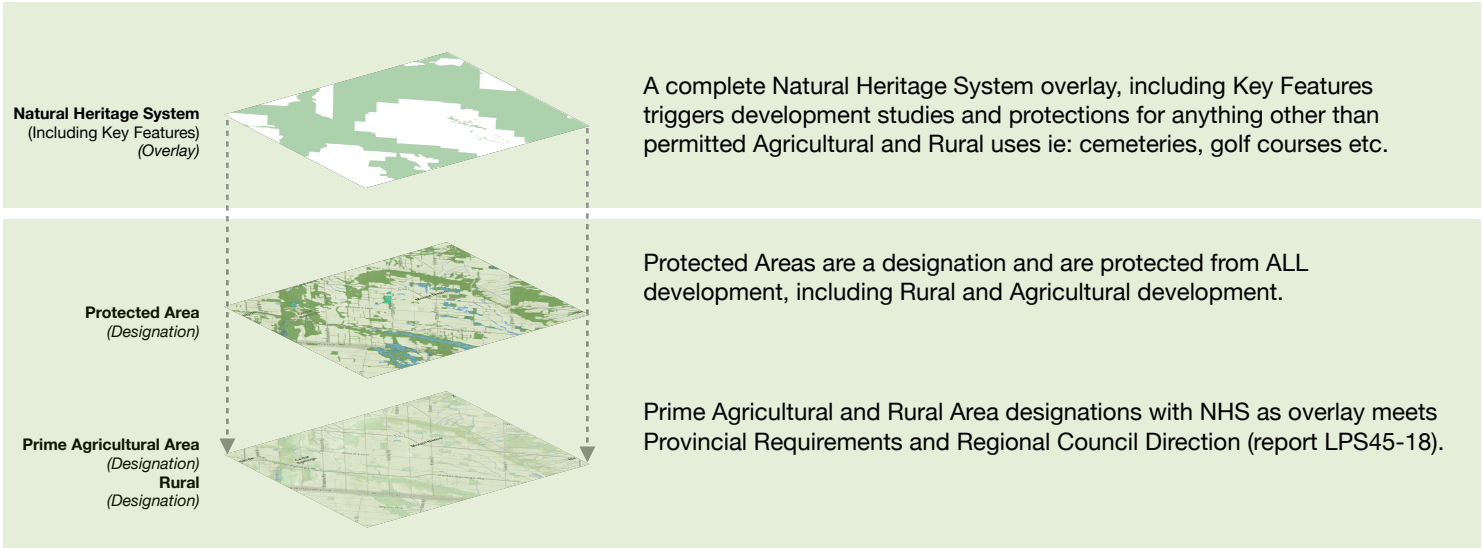
In this way, a landowner would be able to access a map of their property that explicitly determined where they may engage in permitted uses, and where they may not. If a landowner wanted to develop outside of the scope of permitted uses, the NHS overlay would be fully fleshed out through the required studies.

It is important to note that this option would allow the Municipality and Region to study, “capture” and protect (from non-Agricultural or Rural development) a more fulsome Natural Heritage System as it evolves, and on ALL properties in the rural area - rather than trying to delineate an NHS system that is temporally and geographically narrow.

This modified option will also NEVER punish a landowner for their own stewardship as there is no *potential* to punish good behaviour (ie expanding woodlands) by constraining permitted uses on their own property - a MAJOR unintended consequence of unclear/undelineated mapping.

BARAAC Proposal: Prime Agricultural Area, Rural Area and Protected Areas are designated, with complete Natural Heritage System, including Key Features as overlay. Protected Areas are protected from all development and are clearly mapped and delineated, NHS protections are triggered by Planning Act Applications.

### Modified Option 2 Mapping Concept



### Modified Option 2 Problems Resolved



#### Map User Friendliness:

- Clear, delineated and mapped property designations with established data. Property owner understands exactly where they may engage in permitted uses, therefore **fully implementable**
- Where Prime Agricultural Areas and NHS Key Features are not mutually exclusive, creating mapping chaos, Protected Areas and Prime Agricultural and Rural Areas would be mutually exclusive land use designations
- Overlay protections and studies triggered upon Planning Act Application with some small exemptions ie: Minor Variance or Surplus Farm Dwelling Severance
- Mapped Protected Areas encourage stewardship: eliminate landowner fear that contributing to NHS may limit future property use
- Identifies a *complete* NHS system with Key Features, Linkages, Enhancements and Buffers as a separate layer (eliminates the two tiers proposed in other options)

#### Policy Application:

- **Balanced** and clear approach that protects both Agriculture and NHS as systems without cumbersome “prohibition with exemption” model. Protected Areas protected from ALL development
- Not all Key Features constrain or should constrain Rural and Agricultural permitted uses. In this option, Protected Areas can exclude things like Earth Science ANSI's, but could include provincially significant wetlands
- Protected Areas (determined by working group) provides a “Made in Halton” solution with Provincial Conformity as a necessary but secondary focus
- Does not limit NHS geographically or temporally; Planning Act Applications require study of NHS (through EIA's and/or AIA's) on ALL rural/agricultural properties, therefore capturing any new or unknown environmental or agricultural public assets.