

**Attachment #2**

Initial Comments on September 2021 Version of Town of Milton ROPA (RQ62A)

Item	Section	September 2021 Update	Reference Policies	Comments
Preamble	-	<p><b>Purpose</b> The purpose of this Amendment is to facilitate development of the Milton Education Village (“MEV”) lands as a complete, mixed-use and integrated community and ‘innovation district’ anchored by a post-secondary education campus.</p>	-	<ul style="list-style-type: none"> <li>No comments.</li> </ul>
		<p><b>Location</b> The amendment applies to the MEV lands and the Protected Countryside lands in the Greenbelt, which are shown on Schedule “A” attached hereto as “The Amendment Area”.</p> <p>The subject lands are located west of Tremaine Road (Regional Road 22), north of Britannia Road (Regional Road 6), south of the Union Gas pipeline corridor, which is approximately 600 m south of Derry Road (Regional Road 7), and are generally east of Bell School Line.</p>	-	<ul style="list-style-type: none"> <li>Schedule A as provided in the original ROPA submission identifies an Amendment Area beyond the lands owned by Laurier. Town staff have advised that further information will be provided on the extent of the Amendment Area and that it is intended that the ROPA will only apply to the lands identified by Laurier. This information is required to understand the applicability of the policy changes proposed in this ROPA. Changes to this location description may be required.</li> </ul>
		<p><b>Basis</b> The Region of Halton Official Plan provides for Urban Areas that are planned to accommodate the distribution of population and employment in the Region and the four Local Municipalities. Within the Urban Area, the Regional Plan also provides for an Employment Area overlay that sets out policies and permitted uses.</p> <p>The MEV includes lands within the Region’s Urban Area and two portions within the Employment Area overlay. The MEV is the proposed site for a new post-secondary education campus.</p> <p>The Town of Milton recognizes the unique opportunity for the development of the MEV lands as a complete mixed-use community and ‘innovation district’ anchored by the post-secondary education campus. The ‘innovation district’ will provide economic opportunities for knowledge-based employment focused on science, technology, engineering, arts and mathematics (STEAM). The intent is to accommodate more employment in a higher density, compact urban form rather than lower density land extensive industrial and warehousing uses.</p> <p>Approximately two thirds of the proposed post-secondary education campus are designated Greenbelt Natural Heritage System, within lands designated Protected Countryside in the Greenbelt Plan. Being at the intersection of the urban area and the natural environment,</p>	-	<ul style="list-style-type: none"> <li>The Employment Area Overlay applicable to the MEV Lands has been removed through Regional Official Plan Amendment (ROPA) No. 48 as adopted by Regional Council. These conversions are still pending approval by the Minister. Region and Town staff should continue to monitor that approval process. Should the conversions come into effect, the ROPA should be revised to remove reference to the Employment Area Overlay, as it will no longer be applicable. This applies to the Preamble as well as Items 1 and 4.</li> <li>The Preamble speaks to the objectives of the Region’s Natural Heritage System but does not identify the role of the lands as part of the Region’s Agricultural System. Given the importance of this policy framework and the policies in the Regional Official Plan and Greenbelt Plan that pertain to development in the Agricultural System and Prime Agricultural Areas, this should also be reflected at a high-level in the Preamble.</li> <li>The final paragraph in the Preamble notes that a range of uses “are permitted within lands designated Protected Countryside in the Greenbelt Plan”. This phrasing may be misleading, as there are a number of policy tests, prohibitions, and restrictions that may apply to these uses depending on their location within the Protected Countryside and in relation to the Greenbelt NHS and Prime Agricultural Areas, or on the basis of further study</li> </ul>

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		<p>there is a clear opportunity to develop a “living lab” approach to on-site teaching and research, and supporting social, economic and cultural well-being of all communities.</p> <p>The Region of Halton Official Plan states that the objectives for the Natural Heritage System including the Greenbelt Natural Heritage System are, among other things, to “provide opportunities for scientific study, education and appropriate recreation” and “to provide opportunities, where appropriate, for passive outdoor recreational activities”.</p> <p>Green infrastructure, including but not limited to stormwater management systems, and a broad range of activities related to the use of renewable resources, including education programming, are permitted within lands designated Protected Countryside in the Greenbelt Plan. Stormwater management facilities including stormwater management best practices within the Greenbelt lands adjacent to the MEV will serve the surrounding public and private urban areas such as the MEV, public roads, and the Mattamy National Cycling Centre lands. The function of the stormwater management facilities within the Greenbelt lands adjacent to the MEV will serve the surrounding urban area, to provide opportunities for academic research, and support the recommended strategies of the Bronte Creek Watershed Plan. As such, the stormwater management facilities will serve the public interest. By enabling consideration of educational programming and green infrastructure projects, including stormwater management systems on these lands, subject to appropriate policy checks and balances, the ROPA will support and complement the optimal use of the MEV lands. Flexibility to consider innovative and creative stormwater management systems in the Protected Countryside will also serve provincial, regional and local interests, and support optimal use of the MEV lands, including the efficient delivery of the post-secondary education campus.</p>		<p>required by the Greenbelt Plan, Regional Official Plan, or this ROPA. While this is just the Preamble, it would still be more appropriate to say “<u>may be</u> permitted ... in the Greenbelt Plan, <u>subject to other policies of the Plan</u>” or something to that effect.</p> <ul style="list-style-type: none"> <li>Where is the reference to “education programming” as part of a broad range of activities related to the use of renewable resources found in the Greenbelt Plan?</li> <li>The preamble references specific objectives of the Region’s Natural Heritage System related to scientific study, education, and appropriate recreation. It is important that detailed justification be provided regarding how these objectives are met and advanced by the ROPA. In addition, there are many other goals and objectives for the Region’s Natural Heritage System, including to overarching goal to increase the certainty that the biological diversity and ecological function within Halton will be preserved and enhanced for future generations, and, to protect or enhance key features, among others. The ROPA should also identify how these objectives are met.</li> </ul>
1	-	Within the Subject Lands, the Employment Areas shown as an overlay on top of the Urban Area on Map 1 and Map 1C are removed.	-	<ul style="list-style-type: none"> <li>See comment above on the Preamble regarding content related to the Employment Area.</li> </ul>
2	100(22)x)	<p>Part III, Land Use Designations, Agricultural System and Agricultural Area, is amended to include a new subsection 100 (22) (x), which will state:</p> <p>On lands legally described as ..., infrastructure and activities related to the use of renewable resources may be permitted in accordance with the Bronte Creek Watershed Plan and subject to all other applicable</p>	-	<p><u>Permitted Use – Infrastructure</u></p> <ul style="list-style-type: none"> <li>The policy references “infrastructure” as a permitted use. Infrastructure is a defined term in the ROP:</li> </ul>

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		policies, legislation, regulations, guidance and municipal planning documents.		<ul style="list-style-type: none"> <li>○ INFRASTRUCTURE means the collection of public capital facilities including <i>highways</i>, transit terminals and rolling stock, bicycle lanes, sidewalks and multi-use paths, municipal water and wastewater systems, <i>solid waste</i> management facilities, storm water systems, schools, hospitals, libraries, community and recreation centres, other public service facilities and any other public projects involving substantial capital investment. It includes not only the provision of new facilities but also the maintenance and rehabilitation of existing ones.</li> <li>● Given the broad definition of this term and the inapplicability of certain components to the MEV Lands and Greenbelt Protected Countryside, it would be more appropriate to identify the specific type of infrastructure to be permitted (i.e., understood to be a stormwater management system).</li> <li>● Note that Section 100(8) of the Regional Official Plan contains an existing permission for “transportation and <i>utility</i> facilities”, which must be read in conjunction with other policies of the Plan.</li> </ul> <p><u>Permitted Use – Activities Related to the Use of Renewable Resources</u></p> <ul style="list-style-type: none"> <li>● What is meant by “activities related to the use of renewable resources”? It is recognized that the Greenbelt Plan permits “activities related to the use of renewable resources” in the Protected Countryside in Section 4.3.1.2. Section 4.3.1.1 describes renewable resources as “those non-agricultural-based resources that support uses and activities such as forestry, water taking, fisheries, conservation and wildlife management”.</li> <li>● The ROP currently contains permissions for “forest, fisheries and wildlife management” (Section 117.1(7)) and “essential watershed management and flood erosion control projects either carried out or supervised by a public authority...” (Section 117.1(15)). These generally align with the description of renewable resources in the Greenbelt Plan. There are defined terms associated with these permitted uses: <ul style="list-style-type: none"> <li>○ FISHERIES MANAGEMENT means the management of fish habitat and fish population for the purpose of sustaining and improving the quality and quantity of fish.</li> <li>○ FOREST MANAGEMENT or FORESTRY means the wise use and management of forests for the production of wood and wood products, to provide outdoor recreation, to maintain,</li> </ul> </li> </ul>

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				<p>restore, or enhance environmental conditions for wildlife, and for the protection and production of water supplies.</p> <ul style="list-style-type: none"> <li>○ WATERSHED MANAGEMENT means the analysis, protection, development, operation and maintenance of water, water-related features, terrestrial resources and fisheries of a drainage basin.</li> <li>○ WILDLIFE MANAGEMENT means management of wildlife habitats for the purposes of sustaining the quantity and quality of wildlife.</li> </ul> <ul style="list-style-type: none"> <li>● The ROPA should identify in more detail the specific uses that are envisioned in relation to non-renewable resources on the MEV Lands beyond those already permitted by the Regional OP. These may be those identified in Item 3 of the ROPA, but they are not identified here.</li> </ul> <p><u>Permitted Uses by Designation</u></p> <ul style="list-style-type: none"> <li>● Clarification is requested on the difference between the uses permitted under 117.1(21) (Item 3) versus those permitted here in 100(22)(x) (Item 2)? For example, in addition to infrastructure and activities related to the use of renewable resources, the following uses are also permitted in the Natural Heritage System: utility facilities, green infrastructure, scientific study or education and research uses, greenhouses, buildings or structures that provide temporary lodging and board, and agricultural operations and non-intensive recreation uses. Are there policy restrictions on these uses in the Agricultural Area or Prime Agricultural Area or site-specific considerations that result in this difference?</li> </ul> <p><u>Reference to Bronte Creek Watershed Plan</u></p> <ul style="list-style-type: none"> <li>● It is understood that this watershed plan was completed in 2002, prior to the initial Greenbelt Plan. As such, it may not be appropriate to defer permissions for infrastructure and activities related to the use of renewable resources to this Plan, but instead to the contemporary studies required by the ROPA.</li> </ul>
		<p>Infrastructure and activities related to the use of renewable resources will only be permitted in <i>Prime Agricultural Areas</i> subject to the following:</p>	<p><b>GBP, 4.2.1.2</b></p>	<p><u>Prime Agricultural Areas and the Subject Lands</u></p>

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		<p>i. there is an identified need to use additional land for the proposed use and it is demonstrated that there are no reasonable alternatives that avoid prime agricultural land; and</p> <p>ii. an Agricultural Impact Assessment is completed. Where adverse impacts on the agricultural system are unavoidable, measures will be required to minimize or mitigate the impacts as far as possible;</p>	<p>The location and construction of <i>infrastructure</i> and expansions, extensions, operations and maintenance of <i>infrastructure</i> in the Protected Countryside are subject to the following:</p> <p>[...]</p> <p>f) New or expanding <i>infrastructure</i> shall avoid <i>specialty crop areas</i> and other <i>prime agricultural areas</i> in that order of priority, unless need has been demonstrated and it has been established that there is no reasonable alternative;</p> <p>g) Where <i>infrastructure</i> crosses <i>prime agricultural areas</i>, including <i>specialty crop areas</i>, an <i>agricultural impact assessment</i> or equivalent analysis as part of an environmental assessment shall be undertaken; and</p> <p><b>GBP, 3.1.3.5</b> Where <i>agricultural uses</i> and non-agricultural uses interface, land use compatibility shall be achieved by avoiding or, where avoidance is not possible, minimizing and mitigating adverse impacts on the <i>Agricultural System</i>, based on provincial guidance. Where mitigation is required, measures should be incorporated as part of the non-agricultural uses, as appropriate, within the area being developed.</p> <p><b>PPS 2020, 2.3.6.1</b> Planning authorities may only permit non-agricultural uses in <i>prime agricultural areas</i> for: [...]</p> <p>b) limited non-residential uses, provided that all of the following are demonstrated:</p> <ol style="list-style-type: none"> <li>1. the land does not comprise a <i>specialty crop area</i>;</li> <li>2. the proposed use complies with the <i>minimum distance separation formulae</i>;</li> <li>3. there is an identified need within the planning horizon provided for in policy 1.1.2 for additional land to accommodate the proposed use; and</li> <li>4. alternative locations have been evaluated, and <ol style="list-style-type: none"> <li>i. there are no reasonable alternative locations which avoid <i>prime agricultural areas</i>; and</li> <li>ii. there are no reasonable alternative locations in <i>prime agricultural areas</i> with lower priority agricultural lands.</li> </ol> </li> </ol>	<ul style="list-style-type: none"> <li>• The Regional Official Plan identifies an Agricultural System on Map 1E. This map identifies part of the Agricultural System that are Prime Agricultural Areas as well as other parts of the Agricultural System that are outside of Prime Agricultural Areas. Parts of the subject lands (as Regional staff understand them based on submissions to date) contain Prime Agricultural Areas in the in force ROP.</li> <li>• The Province released mapping of an <a href="#">Agricultural System</a> in February 2018. In the Provincial mapping, the entirety of the subject lands are identified with Prime Agricultural Areas. As part of the ongoing Regional Official Plan Review process, the Region has the opportunity to review and refine the Provincial mapping, in accordance with guidance provided by the Province which only permits modifications based on a limited set of circumstances. Through the Discussion Papers released in 2020, preliminary draft mapping has been prepared. This mapping identifies additional parts of the Subject Lands as Prime Agricultural Areas. Regard should be given to the Provincial mapping as well as the Region’s ongoing exercise to refine that mapping. While changes to the Regional Official Plan are not yet in force, any changes that result from the ROPR will need to be addressed through subsequent development applications.</li> </ul> <p><u><i>General Policy Direction for Non-Agricultural Uses in Prime Agricultural Areas</i></u></p> <ul style="list-style-type: none"> <li>• Lands outside of prime agricultural areas in the Protected Countryside – rural lands – are intended to accommodate a range of uses that service the rural resources and agricultural sectors and to support a range of recreation and tourism uses (GBP s. 4.1). These non-agricultural uses are not permitted in prime agricultural areas in the Protected Countryside, except where they are permitted under Section 4.2 to 4.6 of the GBP (GBP s. 4.1.1.1). In this context, these uses are also generally discouraged in prime agricultural areas and may only be permitted after the completion of an agricultural impact assessment (GBP s. 3.1.3.3). <ul style="list-style-type: none"> <li>○ This context should be reflected in the ROPA and the policy frameworks should reinforce the importance of ensuring any development on the Subject Lands continues to support their role as part of the Agricultural System in accordance with policies of both the Greenbelt Plan and Regional Official Plan.</li> </ul> </li> </ul>

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				<p><u>Specific Criteria for Development</u></p> <ul style="list-style-type: none"> <li>• The Provincial policy direction that applies to considering non-agricultural uses on prime agricultural areas requires an assessment of need, assessment of alternative locations, an agricultural impact assessment, consideration of MDS, and mitigation of adverse impacts. For the most part, these are reflected in proposed Section 100(22)(x)[i]-[ii] – however, there are a few areas where this direction could be strengthened. <ul style="list-style-type: none"> <li>○ A greater level of detail should be provided to ensure Provincial directions are implemented comprehensively.</li> <li>○ A reference to compliance with the Minimum Distance Separation Formulae should be added, consistent with the PPS.</li> <li>○ The structure of the policy should be revised so that the requirement for an Agricultural Impact Assessment is included in the preamble, with the specific criteria in [i], [ii], etc. being the policy tests the study needs to include and demonstrate.</li> </ul> </li> </ul> <p><u>Impact of ROPA / Developing Timing</u></p> <ul style="list-style-type: none"> <li>• As noted by Town staff in earlier discussions on the ROPA, it is structured to provide an opportunity for these uses and does not permit them outright. If an AIA is not completed in support of the ROPA, it will need to be in the future to support the development application. As a result, the ROPA does not demonstrate or assume that these policy tests are or can be met.</li> </ul>
		<p>iii. Lot creation in the <i>Prime Agricultural Areas</i> will only be permitted for infrastructure, where the facility or corridor cannot be accommodated by using easements or rights-of-way. Severances that do not result in the creation of a new lot in the prime agricultural areas will only be permitted for easements, corrections of deeds, quit claims, and minor boundary adjustments.</p>	<p><b>ROP Section 66</b>  Subject to other <i>policies</i> of this Plan, applicable Local Official Plan <i>policies</i> and Zoning By-laws, and policies of the applicable Provincial Plan, new <i>lots</i> may be created:  (1) for the purpose of acquisition by a <i>public body</i>;  (2) for the purpose of consolidating <i>lots</i>;  (2.1) for adjusting <i>lot</i> lines provided that:  a) the adjustment is minor and for legal or technical reasons such as <i>easements</i>, corrections of deeds and quit claims; and  b) the proposal does not result in additional building lots; or  (2.2) for the purpose of creating a new <i>lot</i> for conservation purposes as part of the Bruce Trail within the Niagara Escarpment Plan Area provided that the <i>lot</i> creation is in accordance with policies</p>	<p><u>Structure / Purpose Clarifications</u></p> <ul style="list-style-type: none"> <li>• In terms of the structure of the policy, is this a criterion that determines whether the use can be permitted (as [i] and [ii] seem to be)? Or, is it direction on how lot creation in relation to permitted uses will be governed? It may make sense to position this as a separate policy or trailing paragraph.</li> <li>• Section 66 of the Regional OP already contains a framework that governs lot creation in Halton. It is noted that this framework does not include a specific reference to permitting lot creation for infrastructure where the facility or corridor cannot be accommodated by using easements or rights-of-way, which is a policy of the PPS (s. 2.3.4.1) and the Greenbelt Plan (generally in s. 4.6.1). Consider whether this direction is already covered by</li> </ul>

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			<p>of the Niagara Escarpment Plan and is consistent with Regional and Local Official Plan policies.</p> <p>(3) for an existing <i>residence surplus to a farm operation</i> [...]</p> <p><b>PPS 2020, 2.3.4.1</b>  Lot creation in <i>prime agricultural areas</i> is discouraged and may only be permitted for:</p> <p>a) <i>agricultural uses</i>, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;</p> <p>b) <i>agriculture-related uses</i>, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate <i>sewage and water services</i>;</p> <p>c) a <i>residence surplus to a farming operation</i> as a result of farm consolidation, provided that: [...]</p> <p>d) <i>infrastructure</i>, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.</p> <p><b>GBP 4.6.1</b>  Lot creation is discouraged and may only be permitted for: [...]</p> <p>c) Acquiring land for <i>infrastructure</i> purposes, subject to the <i>infrastructure</i> policies of section 4.2; [...]</p>	<p>Section 66(1) of the Regional OP and if it is, whether this direction is necessary. As lot creation may need to occur across the MEV Lands, consider that this direction is specific to prime agricultural areas – is direction needed for areas that are not prime agricultural areas?</p>
3	117.1(21)	<p>Part III, Land Use Designations, Regional Natural Heritage System, is amended to include a new subsection 117.1 (21), which will state:</p> <p>On lands legally described as [...], <u>the following uses are also permitted:</u></p> <p><u>i.</u> infrastructure and activities related to the use of renewable resources, <u>generally</u> in accordance with the Bronte Creek Watershed Plan and subject to all other applicable policies, legislation, regulations, guidance and municipal planning documents;</p> <p><u>ii.</u> <u>utility facilities, green infrastructure that may include natural and human-made elements that provide ecological and hydrological functions and processes, including but not limited to stormwater management systems, stormwater management best practices, such as stormwater attenuation and re-use, water conservation and efficiency, and low impact development, and activities related to the installation of and access to such facilities. Utility facilities and green infrastructure uses include scientific study or education and research uses;</u></p>	-	<p>• See comments on Item 2 regarding ‘infrastructure’ and ‘activities related to the use of renewable resources’.</p> <p><u>Permitted Use – Utility</u></p> <p>• Similar to the comment above regarding ‘infrastructure’, ‘utility’ is a defined term in the Regional OP:</p> <ul style="list-style-type: none"> <li>○ UTILITY means a water supply, storm water or wastewater system, gas or oil pipeline, the generation, transmission and distribution of electric power including renewable energy systems, the generation, transmission and distribution of steam or hot water, towers, communication or telecommunication facilities and other cabled services, a</li> </ul>

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				<p>public transit or transportation system, licensed broadcasting receiving and transmitting facilities, or any other similar works or systems necessary to the public interest, but does not include a new sanitary landfill site, incineration facilities or large-scale packer and/or recycling plants or similar uses.</p> <ul style="list-style-type: none"> <li>Given the broad definition of this term and the inapplicability of certain components to the MEV Lands and Greenbelt Protected Countryside, it would be more appropriate to identify the specific type of utilities that are permitted, as is done elsewhere in the policy.</li> <li>Note that Section 117.1(9) of the Regional Official Plan contains an existing permission for “<i>essential</i> transportation and <i>utility</i> facilities”, which must be read in conjunction with other policies of the Plan.</li> </ul> <p><i>Permitted Uses – Clarifications</i></p> <ul style="list-style-type: none"> <li>What is the difference between ‘infrastructure’ in 117.1(21)[i] and ‘utility facilities’ in 117.1(21)[ii]? Further, what is the rationale for the difference between this permission and the permission in 100(22)x)? Are the utility facilities / green infrastructure / etc. not permitted outside the Regional NHS?</li> <li>What is the connection between ‘scientific study’ or ‘education and research uses’ – are these distinct uses or ways in which the permitted uses themselves will be used? What is the relationship between this reference and that in the trailing paragraph following [iv]? Further, where do these uses fit within the Greenbelt Plan policy framework?</li> </ul>
		<u>iii. greenhouses associated with agricultural operations or scientific study, education and research purposes;</u>	-	<p><i>Permitted Uses – Clarifications</i></p> <ul style="list-style-type: none"> <li>Where do these uses fit within the Greenbelt Plan policy framework?</li> </ul>
		<u>iv. buildings and structures that may provide temporary lodging and board for the provision of programs and services of Indigenous place-making and culture camps; and</u>	-	<p><i>Permitted Uses – Clarifications</i></p> <ul style="list-style-type: none"> <li>Where do these uses fit within the Greenbelt Plan policy framework?</li> </ul>
		<u>For greater certainty, agricultural operations and non-intensive recreation uses include non-intensive activities related to cultural heritage, scientific study or education and research uses.</u>	-	<p><i>Permitted Uses – Clarifications</i></p> <ul style="list-style-type: none"> <li>Where do these uses fit within the Greenbelt Plan policy framework?</li> </ul>
			<b>ROP 118(2)</b>	

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		<p><u>Development or site alteration permitted by this subsection</u> will be required to demonstrate the following:</p>	<p>Apply a systems based approach to implementing the Regional Natural Heritage System by:</p> <p>a) Prohibiting <i>development</i> and <i>site alteration</i> within <i>significant wetlands, significant coastal wetlands, significant habitat of endangered and threatened species and fish habitat</i> except in accordance with Provincial and Federal legislation or regulations;</p> <p>b) Not permitting the alteration of any components of the Regional Natural Heritage System unless it has been demonstrated that there will be no <i>negative impacts</i> on the <i>natural features and areas</i> or their <i>ecological functions</i>; in applying this <i>policy, agricultural operations</i> are considered as compatible and complementary uses in those parts of the Regional Natural Heritage System under the Agricultural System and are supported and promoted in accordance with <i>policies</i> of this Plan;</p> <p><b>GBP 3.2.2.3</b> New <i>development or site alteration</i> in the Natural Heritage System (as permitted by the policies of this Plan) shall demonstrate that:</p>	<p><u>Existing Framework Clarifications</u></p> <ul style="list-style-type: none"> <li>How does this relate to the existing NHS policy framework in the ROP?</li> </ul> <p><u>Additional Greenbelt Plan Policy Requirements</u></p> <ul style="list-style-type: none"> <li>While the proposed policy addresses Section 3.2.2.3 of the Greenbelt Plan, there are other policies that apply and that require consideration. Section 4.2.1.2 contains direction on the location and construction of infrastructure and expansions, extensions, operations, and maintenance of infrastructure in the Protected Countryside. Section 4.2.3.4 and 4.2.3.5 contain requirements specific to stormwater management and resilient infrastructure. These policies should be reflected in the proposed policy framework or a rationale should be provided as to why that is not necessary.</li> </ul>
		<p>i. No negative impacts on <i>key features</i> or their ecological functions;</p>	<p>a) There will be no <i>negative impacts</i> on <i>key natural heritage features</i> or <i>key hydrologic features</i> or their functions;</p>	<ul style="list-style-type: none"> <li>The Regional Official Plan requires assessment of negative impacts to the natural heritage system and not just the key features.</li> </ul>
		<p>ii. Maintenance or enhancement of connectivity along the system and between key feature and areas;</p>	<p>b) <i>Connectivity</i> along the system and between <i>key natural heritage features</i> and <i>key hydrologic features</i> located within 240 metres of each other will be maintained or, where possible, enhanced for the movement of native plants and animals across the landscape;</p>	
		<p>iii. Incorporation of other natural features into the design of infrastructure and activities related to the use of renewable resource use;</p>	<p>c) The removal of other natural features not identified as <i>key natural heritage features</i> and <i>key hydrologic features</i> should be avoided. Such features should be incorporated into the planning and design of the proposed use wherever possible;</p>	<p>This direction does not include the Greenbelt Plan policy that requires demonstration that the removal of natural features not identified as key natural heritage features or key hydrological features is avoided.</p>
		<p>iv. Restriction of the disturbed area to less than 25% of the total developable area of the property;</p>	<p>d) Except for uses described in and governed by the policies of sections 4.1.2 and 4.3.2,</p> <p>i. The disturbed area, including any buildings and structures, of the <i>total developable area</i> will not exceed 25 per cent (40 per cent for golf courses); and</p>	
		<p>v. No impervious areas;</p>	<p>ii. The impervious surface of the <i>total developable area</i> will not exceed 10 per cent; and</p>	
		<p>vi. Maintenance or restoration of a least 30% of the total developable area of the property to natural self-sustaining vegetation.</p>	<p>e) At least 30 per cent of the <i>total developable area</i> will remain or be returned to <i>natural self-sustaining vegetation</i>, recognizing</p>	

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			that section 4.3.2 establishes specific standards for the uses described there.	
		Notwithstanding 139.3.7(4), within 120 metres of a <i>key feature</i> , proposals for <i>development</i> and <i>site alteration</i> will be supported by a study that establishes a <i>vegetation protection zone</i> of at least 30 metres (measured from the outside boundary of the feature) and is of sufficient width to protect, and where possible restore or enhance, the feature and its ecological functions.	<p><b>ROP 139.3.7(4)</b> Require the proponent of any <i>development</i> or <i>site alteration</i>, including public works, that is located wholly or partially within the Greenbelt Natural Heritage System or within 120m of a <i>Key Feature</i> to carry out an Environmental Impact Assessment (EIA). The EIA will identify a <i>vegetation protection zone</i> which:</p> <p>a) is of sufficient width to protect the <i>Key Feature</i> and its functions from the impacts of the proposed change and associated activities that may occur before, during, and after, construction, and where possible, restore or enhance the feature and/or its function; and</p> <p>b) is established to achieve, and be maintained as natural self-sustaining vegetation.</p>	<ul style="list-style-type: none"> <li>Section 139.3.7(4) of the ROP implements Section 3.2.5.5 of the Greenbelt Plan, but is slightly more restrictive in that it applies to development that is wholly or partially within the GBNHS or within 120 metres of a KF whereas the GBP only applies within 120 metres of a KF.</li> <li>The proposed policy would apply the less restrictive Greenbelt standard, but would also be more directive in identifying a minimum 30 metre VPZ whereas the ROP and GBP specify a specific minimum VPZ for certain KFs in 139.3.7(5) / GBP 3.2.5.4.</li> <li>The proposed policy also excludes reference to achieving and being maintained as natural self-sustaining vegetation, which is a requirement of the GBP.</li> <li>Clarification on this approach and the rationale is requested. Given the extent of the NHS on the Subject Lands, the EIA requirement is likely to be the same as the ROP requirement, as almost all of the lands appear to be within 120 metres of a key feature. The reference to establishing and maintaining natural self-sustaining vegetation should also be included, given it is directly from the Greenbelt Plan.</li> </ul>
			<p><b>GBP 3.2.5.5</b> A proposal for new <i>development</i> or <i>site alteration</i> within 120 metres of a <i>key natural heritage feature</i> within the Natural Heritage System or a <i>key hydrologic feature</i> anywhere within the Protected Countryside requires a natural heritage evaluation or a hydrological evaluation which identifies a <i>vegetation protection zone</i> which:</p> <p>a) Is of sufficient width to protect the <i>key natural heritage feature</i> or <i>key hydrologic feature</i> and its functions from the impacts of the proposed change and associated activities that may occur before, during and after construction and, where possible, restore or enhance the feature and/or its function; and</p> <p>b) Is established to achieve and be maintained as <i>natural self-sustaining vegetation</i>.</p>	
		Stormwater management systems are prohibited in key features of the natural heritage system and their associated vegetation protection zones.	<p><b>GBP 4.2.3.3</b> Stormwater management systems are prohibited in <i>key natural heritage features</i>, <i>key hydrologic features</i> and their associated <i>vegetation protection zones</i>. The determination of appropriate <i>vegetation protection zones</i> shall be defined in accordance with sections 3.2.5.4 and 3.2.5.5 of this Plan, which consider the area and nature of the feature being protected and the nature of the proposed stormwater management system.</p>	<ul style="list-style-type: none"> <li>A significant amount of the subject lands are currently identifies within the Region’s Natural Heritage System as Key Features. What analysis has been undertaken to demonstrate the feasibility of the proposal in relation to the natural heritage features and their buffers/VPZs? While it is understood that some of these details may be determined through future study, at the same time, it would be inappropriate for the ROPA to set an expectation that cannot reasonably be met or implemented.</li> </ul>

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		<p>Good environmental stewardship practices and the development of a connected system of publicly accessible open space and trails will be encouraged to support recreational enjoyment and study of the Greenbelt Natural Heritage System. Activity will be directed away from sensitive landscapes through clear demarcation of where public access will be permitted.</p>	<p><b>ROP 118(6)</b> Encourage the development of trails within the Regional Natural Heritage System provided that:</p> <ul style="list-style-type: none"> <li>a) the trails are located on publicly owned lands or are part of the Bruce Trail;</li> <li>b) the trails and associated activities do not impact negatively on ecologically sensitive areas or resource uses such as <i>agricultural operations</i>;</li> <li>c) proper regard is given to the issues of trespassing on private properties and liability in the event of property damages or personal injuries; and</li> <li>d) adjacent landowners potentially affected by the trails are consulted.</li> </ul>	<ul style="list-style-type: none"> <li>• It is noted that this is a stricter test than the no negative impact test above. The ROPA should be clear about the tests that apply to different uses proposed.</li> <li>• Note that the Regional Official Plan contains existing policies related to trails within the Region’s Natural Heritage System at Section 118(6).</li> </ul>
4	139.1	<p>Part III, Land Use Designations, is amended to include a new section <b>139.1</b>, Milton Education Village, which will state:</p> <p>It is the policy of the Region to:</p> <ul style="list-style-type: none"> <li>(1) Require the Town of Milton to include policies in an area specific plan for the Milton Education Village with the objective of achieving a minimum target of 3,659 jobs by 2031.</li> <li>(2) Require the Town of Milton to include policies in an area specific plan for the Milton Education Village for the phasing of development and requirements to be met for each phase of development.</li> </ul>	-	<ul style="list-style-type: none"> <li>• See comment above on the Preamble and re: Employment Area content.</li> </ul>
5	?	<p>Notwithstanding Section 139.3.7(3), new <i>agricultural uses</i>, and uses for scientific study or education and research are permitted.</p>	<p><b>ROP 139.3.7(3)</b> Notwithstanding Sections 139.3.7(1) and 139.3.7(2), permit the following uses within <i>Key Features</i>, subject to the applicable <i>policies</i> of this Plan:</p> <ul style="list-style-type: none"> <li>a) <i>forest, fisheries and wildlife management</i> that is carried out in a manner that maintains or, where possible, improves these features and their functions;</li> <li>b) conservation and flood or erosion control projects if they have been demonstrated to be necessary in the public interest and after all alternatives have been considered;</li> <li>c) archaeological activities;</li> <li>d) <i>essential</i> transportation and <i>utility</i> facilities;</li> <li>e) non-intensive recreation uses such as nature viewing, pedestrian trails and small-scale structures (such as boardwalks, footbridges,</li> </ul>	<ul style="list-style-type: none"> <li>• Section 139.3.7(3) of the ROP generally implements Section 3.2.5.1 of the GBP, identifying uses permitted within key features, despite the prohibitions in (1) and (2). How does this proposed notwithstanding relate to Section 3.2.5.1 of the GBP? Both in terms of the exemption for agricultural uses and for education and research. Greater understanding and detail on the types of uses being proposed in key features would assist in understanding conformity to the Greenbelt Plan and the relationship to the objectives of the Regional Official Plan.</li> </ul>

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			<p>fences, docks, and picnic facilities), where <i>negative impacts</i> are minimized;</p> <p>f) <i>existing uses</i>, including existing <i>agricultural uses</i>; and,</p> <p>g) <i>mineral aggregate resource</i> extraction, subject to the <i>policies</i> of Section 110 of this Plan.</p> <p><b>GBP 3.2.5.1</b>  <i>Development or site alteration</i> is not permitted in <i>key hydrologic features</i> and <i>key natural heritage features</i> within the Natural Heritage System, including any associated <i>vegetation protection zone</i>, with the exception of:</p> <p>a) Forest, fish and wildlife management;</p> <p>b) Conservation and flood or erosion control projects, but only if they have been demonstrated to be necessary in the public interest and after all alternatives have been considered; or</p> <p>c) <i>Infrastructure</i>, aggregate, recreational, shoreline and <i>existing uses</i>, as described by and subject to the policies of section 4.</p>	
6	?	On lands legally described as....., Section 139.3.7(5) does not apply.	<p><b>ROP 139.3.7(5)</b>  Notwithstanding Section 139.3.7(4), require a minimum <i>vegetation protection zone</i> of 30m wide for <i>wetlands</i>, seepage areas and springs, <i>fish habitat</i>, permanent and intermittent streams, lakes, and <i>significant woodlands</i>, measured from the outside boundary of the <i>Key Feature</i>.</p> <p><b>GBP 3.2.5.4</b>  In the case of <i>wetlands</i>, <i>seepage areas and springs</i>, <i>fish habitat</i>, <i>permanent and intermittent streams</i>, <i>lakes</i> and <i>significant woodlands</i>, the minimum <i>vegetation protection zone</i> shall be a minimum of 30 metres measured from the outside boundary of the <i>key natural heritage feature</i> or <i>key hydrologic feature</i>.</p>	<ul style="list-style-type: none"> <li>Section 139.3.7(5) is a direct implementation of Section 3.2.5.4 of the Greenbelt Plan, which required a minimum 30m VPZ for certain features.</li> <li>It is not clear how this exemption would conform to the Greenbelt Plan – as such, it should be removed from the proposed amendment.</li> </ul>
7	?	Part III, Land Use Designations, is amended to include a new section <b>139.3.8</b> , Protected Countryside Milton Education Village, which will state:  [NTD: in the alternative, move Items 5 and 6 here.]		-