

**BRIEF**  
**APPENDIX B: VALUED COMPONENTS  
& SIGNIFICANT ADVERSE  
ENVIRONMENTAL EFFECTS**

**2016**

## **Halton Municipalities**

Regional Municipality of Halton  
Corporation of the City of Burlington  
Corporation of the Town of Halton Hills  
Corporation of the Town of Milton  
Corporation of the Town of Oakville

## **Role of Halton Planning Framework within CEAA Panel Review of the CN Milton Logistics Hub Project**

# Regional Municipality of Halton

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CAO: Jane MacCaskill

# Corporation of the City of Burlington

Mayor: Rick Goldring  
City Manager: James Ridge

# Corporation of the Town of Halton Hills

Mayor: Rick Rick Bonnette  
CAO: Brent Marshall

# Corporation of the Town of Milton

Mayor: Gordon Krantz  
CAO: Bill Mann

# Corporation of the Town of Oakville

Mayor: Rob Burton  
CAO: Ray Green

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# Introduction

This is Appendix B to the June 2016 Halton Municipalities Brief, titled “Role of Halton Planning Framework within CEAA Panel Review of the CN Milton Logistics Hub Project” (the “Halton Brief”). This Appendix sets out in more detail the Valued Components (“VCs”), Desired Outcomes, and Standards and Significant Adverse Environmental Effects that are applicable to and may result from CN’s Milton Logistics Hub Project (the “Project”) in respect of six critical topics that are addressed in Halton’s Regional Official Plan (the “Regional Official Plan” or “ROP”).

Ontario has implemented a detailed regime of land use planning that is led by binding policy and municipal zoning in accordance with the terms of the Province’s *Planning Act*. If a proposed development or site alteration involves a single lot and complies with existing zoning, then it may proceed without additional regulatory land use approval.<sup>1</sup> However, if a proposed development or site alteration does not comply with existing zoning or involves the creation of new lots,<sup>2</sup> then Ontario’s framework of binding policies applies.

Ontario’s framework of binding policies consists of provincial plans and provincial policy statements as well as municipal official plans. These policies are binding on all Ontario regulatory decision makers: Ministers, Ministries, boards, tribunals, and municipalities.

Since the 1970s, land use in Halton Region has been governed by an official plan initiated by Halton Regional Council and approved by the Province. The Regional Official Plan is designed to work in tan-

dem with the official plans of local municipalities in the Region, but ultimately the ROP directs the content of the local official plans and has paramount status in the event of conflict.

The current ROP was developed by the Region, adopted by Regional Council in 2009, and approved by the Province in 2011 on the basis that it conforms to the applicable provincial plans and PPS. It was then subject to appeals to the Ontario Municipal Board and, following a multi-phase hearing, received OMB approval in 2016. The Town of Milton is now updating its official plan to conform to the ROP, the applicable PPS, and provincial plans. The Town’s current official plan was approved in 1997. Although there have been amendments to the Milton OP up to 2013, it reflects an earlier provincial planning framework rather than the current framework.<sup>3</sup> For this reason, this Appendix focuses on the ROP instead of the Milton OP. The Town OP is included where it sets out a standard that is not present in the ROP, but is consistent with the ROP and the applicable provincial plans.

Since the early 1990s, all land use decisions to permit development and site alteration in Ontario have been subject to a comprehensive provincial policy statement. The current statement is the 2014 Provincial Policy Statement (“PPS”). According to the *Planning Act*, every decision affecting planning must be “consistent with” the PPS.<sup>4</sup> Additionally, in places of provincial priority, Ontario has enacted provincial plans that provide greater detail than the PPS and take precedence over the PPS in the event of conflicting standards. The *Planning Act* requires that every planning

decision must “conform with” any applicable “provincial plan.”<sup>5</sup> The CN Project is on lands that are subject to two provincial plans: the Growth Plan for the Greater Golden Horseshoe (“GGH Growth Plan”) and, on the southern-most lands of the Project, the Greenbelt Plan. The binding force of these policy instruments makes them equivalent to legal standards of general application.

Many of the binding policies set out in Ontario’s current land use system address “environmental effects” as this term is used in the *Canadian Environmental Assessment Act* (“CEAA”). For this reason, the Ontario land use system provides important information for stakeholders in the current CEAA panel review. In particular, relevant policies provide effects-based standards of general application which can assist the panel in determining whether the impacts of the proposed CN Project constitute Significant Adverse Environmental Effects (“SAEEs”), a term central to CEAA.

This Appendix presents the relevant effects-based standards set out in the ROP, referencing provincial land use standards.

This Appendix has six parts to address six broad categories of effects:

- A. Water;
- B. Natural heritage;
- C. Transportation;
- D. Agriculture;
- E. Residential; and
- F. Employment.

Each of the six parts of this Appendix has a similar organization:

- Each part begins with the list of CEAA valued components, or VCs, that are

relevant to the category of ROP standards being discussed.

- Each part then provides an overview of the objectives of the ROP standards.
- Next, each part provides a detailed discussion of the applicable effects-based standards. Each discussion begins by setting out the standards and the test that these standards provide for deciding whether the Project is likely to have an SAAE on a valued component. The source of these standards is then provided with full references to the provisions of the ROP and, where applicable, the Town OP. This discussion also explains how the ROP or Town OP implements the standards set out in provincial plans and policy statements.

In sum, this Appendix provides all stakeholders in the panel review with assistance on the relevance of the ROP and Ontario's planning framework to the assessment of environmental effects under CEAA. In particular, it provides detailed support for each standard cited in Part D of the Brief. Each standard focuses on effects and has general application in the Region and/or the Town. Each standard is therefore relevant to determining whether the proposed CN Milton Logistics Hub Project is likely to cause significant adverse environmental effects.

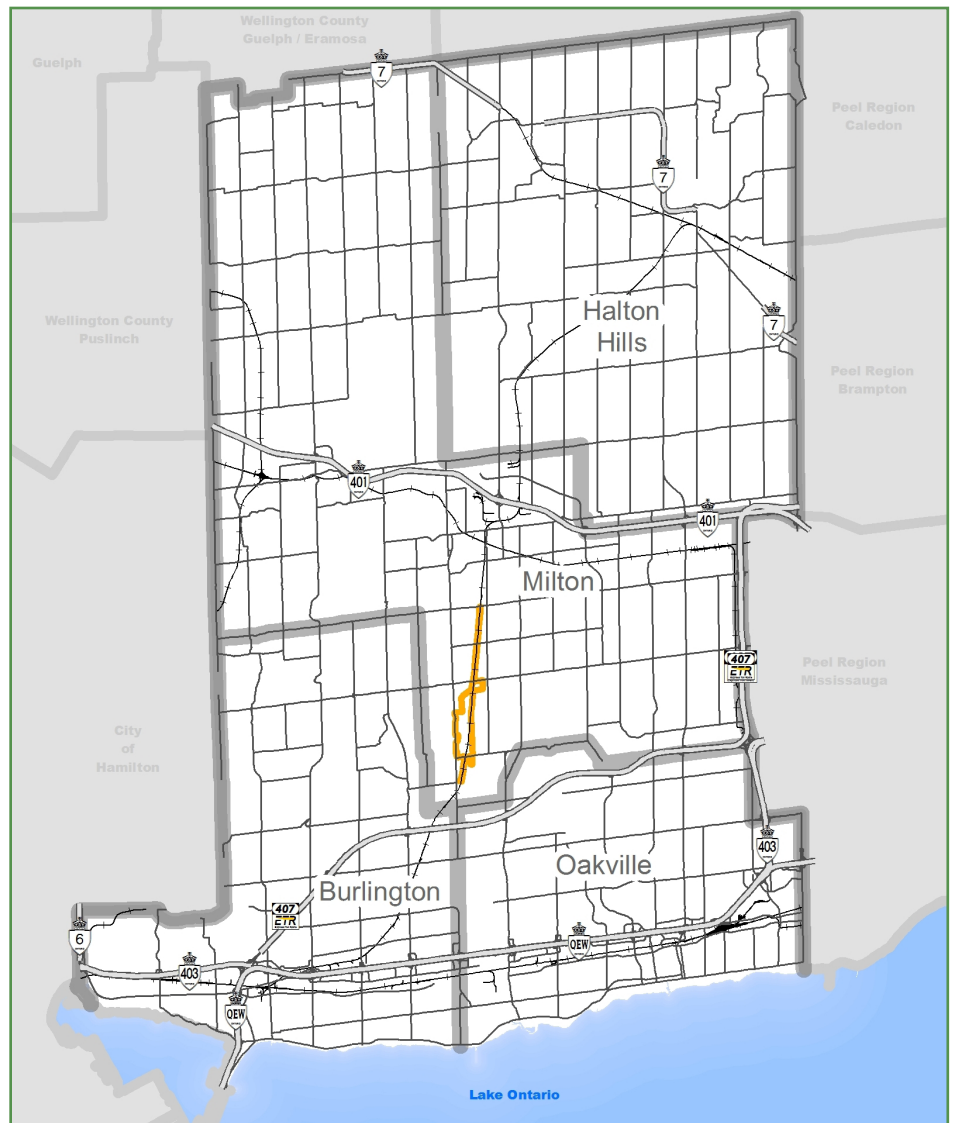


Figure 1: Halton Municipalities

## Part A: Water

Numerous standards apply across the Region to prevent adverse effects on the quantity and quality of the water resources and watersheds making up its water system. These standards apply to the Project because, as shown on Figure 9, the Project lands include or abut water features. These standards also apply to the Project because it will alter drainage patterns and relocate a watercourse. Additionally, these standards apply to the Project because CN proposes to meet its water supply needs through one or more private wells drawing groundwater from aquifers, and its wastewater discharge needs through one or more private sewage works discharging into local watercourses.

Under provincial law, watershed planning is required to address source water protection of drinking water, flood plain planning, and development in or near watercourses, wetlands, and valleylands. Since 2005, the PPS has required planning authorities to protect, improve, or restore the quality and quantity of water. Among other things, Ontario requires authorities, such as the Region, to use the watershed as the ecologically meaningful scale for integrated and long-term planning and to identify the water resource features and functions necessary for the ecological and hydrological integrity of the watershed (PPS 2005 2.2.1a) & c)). The required water resource features and functions consist of groundwater and surface water features, natural heritage features and areas, and hydrologic functions.

Consistent with provincial requirements, the ROP implements integrated watershed management across the Region. To assist its implementation of watershed management, the Region works with Conservation Halton<sup>6</sup>—a provincially-regulated

authority with jurisdiction over Halton watersheds—and with all local municipalities within the Region.

### A.1 Valued Components from the ROP

See Table D.3 in the Halton Brief for a list of the VCs identified in the EIS Guidelines addressed by each of the above ROP VCs.

- Sensitive surface and groundwater features
- Urban water quality and quantity
- Groundwater quality
- Watercourses

### A.2 Desired Outcomes

#### ROP Objectives

114.1(8) To preserve and enhance the quality and quantity of ground and surface water.

144(3) To maintain, protect and enhance the quality and quantity of groundwater and surface water.

144(4) To achieve integrated *watershed management* in *Halton* through partnership with all stakeholders within the watersheds.

144(5) To support the protection of water quality and quantity in accordance with the *objectives* of *Watershed Plans* and *Sub-watershed Studies*, where they exist, or through best management practice, where such Plans/Studies do not exist.

## A.3 Standards and SAEs

### A.3.1 Sensitive surface and groundwater features

**Standard:** To restrict development or site alteration in or near sensitive surface water or groundwater features to protect, improve or restore such features.

**Test for SAEs:** Physical activity or change in or near sensitive surface or groundwater feature which is likely to harm the feature or its functions.

#### Source

ROP Policy 145(23)

It is the policy of the Region to restrict *development* and *site alteration* in or near sensitive surface and groundwater features and require the proponent to carry out an Environmental Impact Assessment in accordance with *policies* of this Plan and, undertake where appropriate, hydrogeological and hydrological studies to protect, improve or restore such features.

#### Purpose

The purpose of Policy 145(23) is to protect sensitive surface and groundwater features such as ponds, streams, drainage areas, and wetlands.

#### Relationship to Provincial Plans and Policy Statements

PPS 2.2.2: "*Development* and *site alteration* shall be restricted in or near *sensitive surface water features* and *sensitive ground water features* such that these features and their related *hydrologic functions* will be protected, improved or restored. Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore *sensitive surface water features*, *sensitive ground water features*, and their *hydrologic functions*."

PPS "Negative impacts" means ...

b) in regard to policy 2.2, degradation to the *quality and quantity of water*, *sensitive surface water features* and *sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development* or *site alteration* activities...

#### Application to Project

The Project proposes to affect sensitive water features, alter existing drainage patterns, and withdraw groundwater from aquifers.

#### Figures

Figure 9 illustrates the Project location in relation to sensitive surface water features.

Figure 10 illustrates the areas around sensitive surface water features that require demonstration of no negative impacts on the related feature (hence, "No Negative Impacts Zones").

Figure 11 illustrates the Project location in relation to watercourses.

Figure 12 illustrates the Project location in relation to wetlands.

Figure 13 illustrates the Project location in the Bronte Creek Watershed.

Figure 14 illustrates the topography at and around the Project location and thus existing drainage.



### A.3.2 Urban water quality and quantity

**Standard: To permit development in the Urban Area on private wells and/or private sewage disposal systems only on an interim basis until urban service is available.**

**Test for SAEs: Physical activity in the Urban Area which is proposed to be on private servicing for more than an interim period.**

#### Source

ROP 89(4)

It is the *policy* of the *Region* to permit *development* in the Urban Area on private wells and/or private sewage disposal systems that conforms to Regional standards and Provincial legislation, regulations and standards including building codes only:

- a) when *urban service(s)* is determined by the *Region* to be unavailable;
- b) on an interim basis until *urban service(s)* is available, at which time the *development* must be connected to the municipal servicing system(s) within two years of the service(s) becoming available;
- c) the *development* meets other criteria as specified by Council in the *Urban Services Guidelines*; and
- d) the owner of the *development* satisfies all financial and legal obligations required by the *Region*.

#### Purpose

The purpose of ROP 89(4) is to ensure that development in the Urban Area is on urban services, not private services such as private wells and/or private septic systems. Private water and sewage services are permitted in restricted circumstances only.

#### Relationship to Provincial Plans and Policy Statements

PPS 1.6.6.5: *Partial services* shall only be permitted in the following circumstances:

- a) where they are necessary to address failed *individual on-site sewage services* and *individual on-site water services* in existing development; or
- b) within *settlement areas*, to allow for infilling and minor rounding out of existing development on partial services provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.

PPS “partial services”: a) *municipal sewage services* or *private communal sewage services* and *individual on-site water services*; or b) *municipal water services* or *private communal water services* and *individual on-site sewage services*.

PPS “Negative impacts”: means

- a) in regard to policy ... 1.6.6.5, degradation to the *quality and quantity of water*, *sensitive surface water features* and *sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development*. *Negative impacts* should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards; ...

#### Application to Project

This Project proposes to make use of private wells/sewage disposal despite being situated partly within the Urban Area.

#### Figures

Figure 26 illustrates the designated Urban Area at and around the Project location.

### A.3.3 Groundwater quality

**Standard:** To consider approval of development proposals only when the site complies with Provincial guidelines, Regional standards and other requirements regarding groundwater quality.

**Test for SAEs:** Physical activity on site which does not meet Provincial or Regional water quality standards or guidelines.

**Source**

ROP 147(18)

It is the policy of the Region to consider approval of *development* proposals only when the *development* site complies with Provincial guidelines, Regional standards and other requirements regarding soil and groundwater quality.

**Purpose**

ROP 147(18) ensures that, prior to development, sites are (1) assessed against applicable water quality guidelines and (2), where necessary, remediated to meet applicable standards.

**Relationship to Provincial Plans and Policy Statements**

PPS 3.2.2: Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no *adverse effects*.

**Application to Project**

Since the Project site includes existing rail lines, and thus extended use of various chemicals to maintain rail services, it is possible that the site contains contaminated groundwater. The site should therefore be assessed for existing groundwater quality, having regard for applicable provincial and regional standards.

### A.3.4 Watercourses

**Standard:** To ensure that Key Features, which include watercourses that are within a Conservation Authority Regulation Limit or that provide a linkage to a wetland or a significant woodland, are protected.

**Test for SAEs:** Physical activity or change which does not protect watercourses that are CA regulated or that link wetlands or significant woodlands.

#### Source

ROP 101(1.9)

It is the policy of the Region to ensure that *Key Features*,<sup>7</sup> identified in Section 115.3 that may exist outside the Regional Natural Heritage System are protected in accordance with Section 139.12.

ROP 115.3

The Regional Natural Heritage System is a systems approach to protecting and enhancing *natural features* and functions and is scientifically structured on the basis of the following components:

115.3(1) *Key Features*, which include:

115.3(5) *watercourses* that are within a *Conservation Authority Regulation Limit* or that provide a *linkage* to a *wetland* or a *significant woodland*...

#### Purpose

ROP 101(1.9) protects all watercourses that are within the regulatory limits of Conservation Halton or that link wetlands or significant woodlands. This protection addresses watercourses as part of two natural systems: ecological systems and hydrological systems.

#### Relationship to Provincial Plans and Policy Statements

PPS 2.1.2: The diversity and connectivity of natural features in an area, and the long-term *ecological function* and biodiversity of *natural heritage systems*, should be maintained, restored or, where possible, improved, recognizing linkages between and among *natural heritage features and areas*, *surface water features*, and *ground water features*.

PPS "Natural heritage system" means a system made up of *natural heritage features and areas*, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. These systems can include *natural heritage features and areas*, federal and provincial parks and conservation reserves, other natural heritage features, lands that have been restored or have the potential to be restored to a natural state, areas that support hydrologic functions, and working landscapes that enable ecological functions to continue. The Province has a recommended approach for identifying *natural heritage systems*, but municipal approaches that achieve or exceed the same objective may also be used."

#### Application to Project

This standard applies to the Project as it will affect watercourses such as streams, ponds, and wetlands within and outside of the Regional Natural Heritage System.

#### Figures

Figure 11 illustrates the watercourses at and around the Project location.

## Part B: Natural Heritage

The ROP gives express recognition to natural heritage as a region-wide system known as the Regional Natural Heritage System (“RNHS”). ROP standards protect natural features, linkages and enhancement areas and their ecological functions from any negative impacts due to development or site alteration. These standards apply to the Project because, as indicated in Figure 15, the Project location includes and abuts lands designated under the RNHS. Figure 31 illustrates the Project location in relation to the protected countryside lands designated for permanent protection under Ontario’s Greenbelt Plan (2005). Additionally, the Project may affect other lands providing migratory bird habitat as the Project location includes or abuts grasslands and woodlands that are presently not identified in the RNHS.

Natural heritage protection has been a central component of Provincial Policy Statements since 1994. Since 2005, the Greenbelt Plan has provided permanent protection to features within the provincial natural heritage system, which includes features within the Region. Also since 2005, the PPS has demanded that the ecological function and biodiversity of all natural heritage systems be maintained and that natural features and areas be protected for the long term. Provincial standards govern and protect significant wetlands, woodlands, valleylands, wildlife habitat, and areas of natural and scientific interest. The PPS also recognizes provincial standards to protect the habitat of endangered species and federal standards to protect fish habitat.

The systems approach to natural heritage adopted in the ROP includes all provincially-protected features, and adds protection judged important to the Region’s ecological system. This protection relies on current science that a natural heritage system is essential to protect and preserve individual natural heritage features within an area of concern.

### B.1 Valued Components from the ROP

See Table D.4 in the Halton Brief for a list of the VCs identified in the EIS Guidelines addressed by each of the above ROP VCs.

- Components of the Regional Natural Heritage System
- Migratory bird habitat which is not currently included within the Regional Natural Heritage System, but should be.

## B.2 Desired Outcomes

### ROP Planning Vision

26 To maintain *Halton* as a desirable and identifiable place for this and future generations, certain landscapes within *Halton* must be preserved permanently. This concept of “landscape permanence” represents *Halton’s* fundamental value in land use planning ....”

27 In *Halton’s* vision, its future landscape will always consist of three principal categories of land uses in large measures... (3) a natural heritage system ... to preserve and enhance the biological diversity and ecological functions of *Halton* Region.

### ROP Goal

114 The *goal* of the Natural Heritage System is to increase the certainty that the biological diversity and *ecological functions* within *Halton* will be preserved and enhanced for future generations.

### ROP Objectives

114.1(5) To protect or enhance the diversity of fauna and flora, ecosystems, plant communities, and *significant landforms* of *Halton*.

114.1(1) To maintain the most natural Escarpment features, stream valleys, wetlands and related *significant* Natural Areas and associated *Cultural Heritage Resources*.

114.1(6) To protect or enhance *Key Features*, without limiting the ability of existing *agricultural uses* to continue.

114.1(7) To protect or enhance *fish habitats*.

144(6) To maintain and enhance *fish habitat* in *Halton*.

114.1(12) To preserve native species and communities that are rare, threatened or endangered based on regional, provincial or national scales of assessment.

114.1(17) To preserve the aesthetic character of *natural features*.

114.1(9) To contribute to a continuous natural open space system to provide visual separation of communities and to provide continuous corridors and inter-connections between the *Key Features* and their *ecological functions*.

## B.3 Standards and SAEs

### B.3.1 Components of the Regional Natural Heritage System

**Standard:** To apply a systems-based approach to implementing the Regional Natural Heritage System by not permitting the alteration of any components of the Regional Natural Heritage System unless it has been demonstrated that there will be no negative impacts on the natural features and areas or their ecological functions.

The Regional Natural Heritage System is a systems approach to protecting and enhancing natural features and functions and is scientifically structured on the basis of the following components:

(1) Key Features, which include:

- a) significant habitat of endangered and threatened species,
- b) significant wetlands,
- c) significant coastal wetlands,
- d) significant woodlands,
- e) significant valleylands,
- f) significant wildlife habitat,
- g) significant areas of natural and scientific interest,
- h) fish habitat,

Key Features that have been identified are shown on Map 1G.<sup>8</sup>

(2) enhancements to the Key Features including Centres for Biodiversity,

(3) linkages,

(4) buffers,

(5) watercourses that are within a Conservation Authority Regulation Limit or that provide a linkage to a wetland or a significant woodland, and

(6) wetlands other than those considered significant under Section 115.3(1)b).

**Test for SAEs:** Physical activity or change which is likely to cause a negative impact on any feature or function that is part of the Regional Natural Heritage System.

#### Source

ROP 118(2)

It is the *policy* of the *Region* to apply a systems-based approach to implementing the Regional Natural Heritage System by...(b) Not permitting the alteration of any components of the Regional Natural Heritage System unless it has been demonstrated that there will be no *negative impacts* on the *natural features and areas* or their *ecological functions*...

ROP 115.3

The Regional Natural Heritage System is a systems approach to protecting and enhancing *natural features* and functions and is scientifically structured on the basis of the following components:

115.3(1) *Key Features*, which include:

- a) *significant* habitat of endangered and threatened species,
- b) *significant* wetlands,
- c) *significant* coastal wetlands,
- d) *significant* woodlands,
- e) *significant* valleylands,
- f) *significant* wildlife habitat,
- g) *significant* areas of natural and scientific interest,
- h) *fish habitat*,

### B.3.1 Components of the Regional Natural Heritage System (cont'd)

*Key Features* that have been identified are shown on Map 1G.<sup>9</sup>

115.3(2) *enhancements to the Key Features* including *Centres for Biodiversity*,

115.3(3) *linkages*,

115.3(4) *buffers*,

115.3(5) *watercourses* that are within a *Conservation Authority* Regulation Limit or that provide a *linkage* to a *wetland* or a *significant woodland*, and

115.3(6) wetlands other than those considered significant under Section 115.3(1)b).

ROP 101(1.9)

It is the policy of the Region to ensure that *Key Features*, identified in Section 115.3 that may exist outside the Regional Natural Heritage System are protected in accordance with Section 139.12.

#### **Purpose**

ROP policies 27(3), 51.2(6), and 115.3 are intended to establish and explain the framework of the natural heritage system and, in particular, the key features that comprise the Natural Heritage System.

ROP 118(2) outlining the implementation of the RNHS together with the definition of negative impacts to the RNHS in ROP 260.2 provides direction to address development and site alteration that is within or adjacent to the Regional Natural Heritage System. These negative impacts are:

- degradation of the quantity or quality of water, sensitive surface or groundwater features,
- any permanent alteration to or destruction of fish habitat, or
- degradation of any other component of the Regional Natural Heritage System that threatens the health and integrity of the natural features or ecological functions for which an area is identified due to single, multiple or successive development or site alteration activities.

The policy highlights that development and site alteration is prohibited in certain features. This approach is consistent with the Natural Heritage policies in section 2.1 of the Provincial Policy Statement. Specific Natural Heritage policies are outlined below.

#### **Relationship to Provincial Plans and Policy Statements**

PPS 2.1.3: *Natural heritage systems* shall be identified in Ecoregions 6E & 7E,<sup>10</sup> recognizing that *natural heritage systems* will vary in size and form in *settlement areas*, *rural areas*, and *prime agricultural areas*.

PPS 2.1.1 Natural features and areas shall be protected for the long term.

PPS 2.1.2 The diversity and connectivity of natural features in an area, and the long-term *ecological function* and biodiversity of *natural heritage systems*, should be maintained, restored or, where possible, improved, recognizing linkages between and among *natural heritage features and areas*, *surface water features* and *ground water features*.

PPS 2.1.4 *Development* and *site alteration* shall not be permitted in:

- a) *significant wetlands* in Ecoregions 5E, 6E and 7E1...

### B.3.1 Components of the Regional Natural Heritage System (cont'd)

PPS 2.1.5 *Development and site alteration* shall not be permitted in:

...

- b) *significant woodlands* in Ecoregions 6E and 7E ...;
- c) *significant valleylands* in Ecoregions 6E and 7E...;
- d) *significant wildlife habitat*;
- e) *significant areas of natural and scientific interest*;

unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

PPS 2.1.6 *Development and site alteration* shall not be permitted in *fish habitat* except in accordance with *provincial and federal requirements*.

PPS 2.1.7 *Development and site alteration* shall not be permitted in *habitat of endangered species and threatened species*, except in accordance with *provincial and federal requirements*.

PPS 2.1.8 *Development and site alteration* shall not be permitted on *adjacent lands* to the *natural heritage features and areas* identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the *ecological function* of the *adjacent lands* has been evaluated and it has been demonstrated that there will be no *negative impacts* on the *natural features* or on their *ecological functions*.

PPS "Natural heritage system"...means a system made up of *natural heritage features and areas*, and *linkages* intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. These systems can include *natural heritage features and areas*, federal and provincial parks and conservation reserves, other natural heritage features, lands that have been restored or have the potential to be restored to a natural state, areas that support hydrologic functions, and working landscapes that enable ecological functions to continue. The Province has a recommended approach for identifying *natural heritage systems*, but municipal approaches that achieve or exceed the same objective may also be used.

PPS "Negative impacts" means ...

- c) in regard to *fish habitat*, any permanent alteration to, or destruction of *fish habitat*, except where, in conjunction with the appropriate authorities, it has been authorized under the *Fisheries Act*; and
- d) in regard to other *natural heritage features and areas*, degradation that threatens the health and integrity of the natural features or *ecological functions* for which an area is identified due to single, multiple or successive *development* or *site alteration* activities.

#### **Application to Project**

This standard applies to the Project because the Project location includes and abuts lands designated under the Halton Regional Natural Heritage System and lands designated for permanent protection under the Greenbelt Plan.

#### **Figures**

Figure 15 illustrates the Project location in relation to all identified features under the RNHS.

Figure 16 illustrates the areas around all RNHS features that require demonstration of no negative impacts on the related feature (hence, "No Negative Impact Zones").

Figure 17 illustrates the provincially-significant natural heritage features at and around the Project location.

Figure 18 illustrates the significant woodlands and other woodlands at and around the Project location.

Figures 19 to 22 illustrate the suitable habitat for endangered species at and around the Project location. Note that to protect such species from poaching and other harm, mapping is generalized to avoid providing precise habitat locations.



### B.3.2 Other Migratory Bird Habitat

**Standard: Key Features that may exist outside the Regional Natural Heritage System are protected.**

**Test for SAEs: Physical activity or change which is likely to cause a negative impact on migratory bird habitat which should be included in the Regional Natural Heritage System.**

#### Source

ROP 118(2)

It is the policy of the *Region* to apply a systems-based approach to implementing the Regional Natural Heritage System by:

- a) Prohibiting *development* and *site alteration* within *significant wetlands*...except in accordance with Provincial and Federal legislation or regulations;
- b) Not permitting the alteration of any components of the Regional Natural Heritage System unless it has been demonstrated that there will be no *negative impacts* on the *natural features and areas* or their *ecological functions*;
- c) Refining the boundaries of the Regional Natural Heritage System in accordance with Section 116.1; and
- d) Introducing such refinements at an early stage of the *development* or *site alteration* application process and in the broadest available context so that there is greater flexibility to enhance the *ecological functions* of all components of the system and hence improve the long-term sustainability of the system as a whole.

ROP 260.2 NEGATIVE IMPACTS means: 260.2(3) in regard to other components of the Regional Natural Heritage System, degradation that threatens the health and integrity of the *natural features* or *ecological functions* for which an area is identified due to single, multiple or successive *development* or *site alteration* activities.

ROP 101(1.9)

It is the policy of the *Region* to ensure that *Key Features*, identified in Section 115.3 that may exist outside the Regional Natural Heritage System are protected in accordance with Section 139.12.

ROP 139.12

There may exist other *Key Features* within the Greenbelt and Regional Natural Heritage Systems that are not shown on Map 1G, or that may exist in other land use designations, such as the Agricultural Area. Local Municipalities in their official plans shall ensure that these *Key Features* are protected through appropriate *Area-Specific Plans* or studies related to *development* and/or *site alteration* applications in accordance with Section 118.

Map 1G from the ROP identifies the *Key Features* across the Region. Figure 17 from Appendix A to this Brief reproduces Map 1G for the area at and around the Project.

#### Purpose

ROP 51 refers to the natural heritage system as a component of the Regional Structure in Halton and defines the intent of the RNHS. Further, ROP 260.1 defines "Natural Features or Natural Features and Areas in the ROP." Migratory birds and habitat are considered a component of the RNHS. Collectively, this approach is consistent with the Natural Heritage System as required by the PPS and defined as follows, "a system made up of natural heritage features and areas, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems."

These systems can include natural heritage features and areas, federal and provincial parks and conservation reserves, other natural heritage features, lands that have been restored or have the potential to be restored to a natural state, areas that support hydrologic functions, and working landscapes that enable ecological functions to continue. The Province has a recommended approach for identifying natural heritage systems, but municipal approaches that achieve or exceed the same objective may also be used.

### B.3.2 Other Migratory Bird Habitat (cont'd)

As noted above, ROP 115.3(1) identifies Key Features that comprise the RNHS. One of these features is Significant Wildlife Habitat. ROP 276.4(5) defines Significant in regard to some components of the RNHS as ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system.

Further, the PPS defines “wildlife habitat” as areas where plants, animals and other organisms live and find adequate amounts of food, water, shelter, and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle, and areas that are important to migratory or non-migratory species.

Because of this, the RNHS is highly relevant to the Region’s compliance with the *Migratory Birds Convention Act*.

ROP 118(2) together with the definition of negative impacts set out in ROP 260.2 provide guidance on how to address development and site alteration that is within or adjacent to the RNHS. The policy highlights that development and site alteration is prohibited in certain features. This approach is consistent with the Natural Heritage policies in Section 2.1 of the PPS. Specifically, ROP 118(2)a) implements PPS Policies 2.1.1 and 2.1.4 and ROP 118(2)b) implements PPS Policies 2.1.1 and 2.1.5. Specific Natural Heritage policies are outlined below.

Lastly, ROP 139.12 advises that if any “Key Features” exist outside the RNHS, they are also protected. This would protect migratory bird habitat that has not yet been identified and evaluated by the Region but may be considered part of significant wildlife habitat.

#### **Relationship to Provincial Plans and Policy Statement**

PPS 2.1.4 *Development and site alteration* shall not be permitted in:

a) *significant wetlands* in Ecoregions 5E, 6E and 7E1;

PPS 2.1.8 *Development and site alteration* shall not be permitted on *adjacent lands* to the *natural heritage features and areas* identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the *ecological function* of the *adjacent lands* has been evaluated and it has been demonstrated that there will be no *negative impacts* on the *natural features* or on their *ecological functions*.

4.9 The policies of this Provincial Policy Statement represent minimum standards. This Provincial Policy Statement does not prevent planning authorities and decision-makers from going beyond the minimum standards established in specific policies, unless doing so would conflict with any policy of this Provincial Policy Statement.

#### **Application to Project**

This standard applies to the Project because the Project lands include or abut grasslands or woodlands that may constitute migratory bird habitat and which could be considered for inclusion in the RNHS, but are not presently identified in the RNHS.

## Part C: Transportation

Region standards provide for a regional transportation system that promotes options to vehicular travel and seeks to carefully calibrate major transportation facilities to present and future needs. Figure 3 of the ROP identifies the Region's "Functional Plan of Major Transportation Facilities." The existing rail lines are a major transportation facility under Figure 3 of the ROP. Figure 23 shows those facilities currently identified as Major Transportation Facilities under the ROP. This Figure and the ROP do not designate the intermodal facility as a Major Transportation Facility. The trucking aspect of the Project is also relevant to the ROP and the Region's transportation system because the Project location abuts two regional roads, including Britannia Road to the north which is approved for a major future expansion. This Project location also raises issues for active transportation (e.g., walking and cycling) because it is across the street from existing and planned residential communities north of Britannia Road.

The 2005 PPS initiated provincial standards for transportation systems and their relationship to sensitive land uses. The 2006 GGH Growth Plan covers all transportation modes and purposes and offers an integrated vision of transportation growth and transportation management. Overarching Growth Plan priorities include the development of complete communities by intensifying residential and employment uses within urban boundaries. Key transportation priorities include the safe movement of people and goods. As concerns the movement of people, the Plan seeks to limit the expansion of roads in favour of moving people within and across urban areas by transit and active transportation (e.g., walking, cycling).

In 2014, Ontario approved a new PPS. It is very similar to the 2005 PPS but includes new guidance on transportation. In particular, the 2014 PPS introduces the terms, "Major goods movement facilities and corridors" and "Multimodal transportation system." For the former, the 2014 PPS demands the protection of major goods movement facilities and corridors for the long term. For the latter, the new PPS demands connectivity within and among transportation systems and modes. Like the 2005 PPS, the new PPS demands that transportation and land use considerations be integrated at all stages of the planning process.

Consistent with provincial policy, the ROP identifies the Region's transportation system. It also promotes safety, accessibility, efficiency, and a balance of transportation options to promote public transit and active transportation while reducing both dependency on vehicular travel and environmental impacts.

### C.1 Valued Components from the ROP

See Table D.5 in the Halton Brief for a list of the VCs identified in the EIS Guidelines addressed by each of the above ROP VCs.

- Major transportation facilities
- Planned transportation corridors
- Railway networks and crossings

## C.2 Desired Outcomes

### ROP Goal

172(1) The goal for transportation is to provide a safe, convenient, accessible, affordable and efficient transportation system in *Halton*, while minimizing the impact on the environment and promoting energy efficiency.

### ROP Objectives

172(2) To develop a balanced transportation system that: reduces dependency on automobile use; includes safe, convenient, accessible, affordable and efficient public transit system that is competitive with the private automobile; and promotes *active transportation*.

172(3) To provide a safe, economic and efficient *highway* network for both people and goods movement with an acceptable level of service.

172(15) To support a safe and efficient railway network for the movement of goods and people.

172(13) To ensure that the planning, *development* and design of the transportation system take into account social, economic and environmental factors as well as the needs of the agricultural community and consider, where appropriate, alternative design standards consistent with *policies* of this Plan.

173(30.1) In conjunction with the Province, Metrolinx and other municipalities in the Greater Toronto and Hamilton Area, plan and implement an efficient, safe and integrated transportation network for goods movement by rail, road, water and air.

155 ...to plan for an environment with the highest level of personal safety and security for its inhabitants.

## C.3 Standards and SAEs

### C.3.1 Major Transportation Facilities

**Standard: Adopt a Functional Plan of major transportation facilities for the purpose of meeting travel demands for year 2021 as well as protecting key components of the future transportation system to meet travel demands beyond year 2021.**

**Test for SAEs: New major transportation facility that adds new travel demands but is not in the Functional Plan.**

#### Source

ROP 173(1)

It is the *policy* of the *Region* to adopt a Functional Plan of Major Transportation Facilities, as shown on Map 3 and described in Table 3, for the purpose of meeting travel demands for year 2021 as well as protecting key components of the future transportation system to meet travel demands beyond year 2021...

#### Purpose

ROP Map 3 shows the Region's transportation system for all major modes of transportation. It illustrates existing and planned highways, freeways, and arterials in addition to Urban Areas, Transit Corridors and Rail Corridors in the Region. ROP Table 3 describes the function of the Major Transportation Facilities by facility type. Based on existing information, the ROP sets out the existing CN rail corridor in the vicinity of the Project. It also sets out existing Regional Roads in the vicinity of the Project and makes provision for their planning expansion. The Regional Roads that are most impacted by this Project are Regional Roads 6, 22 and 25. Table 3 in the ROP identifies these roads as 'Major Arterials.' Consistent with provincial policy and plans, the ROP plans these facilities and corridors to serve multiple transportation purposes. The ROP defines their role as:

- Serving mainly inter-regional and regional travel demands
- May serve an Intensification Corridor
- Accommodate all truck traffic
- Accommodate higher order transit services and high occupancy vehicle lanes
- Connect Urban Areas in different municipalities
- Carry high volumes of traffic
- Distribute traffic to and from Provincial Freeways and Highways
- Accommodate active transportation

Ontario's environmental assessment legislation makes provision to assess both single projects and plans involving multiple projects. Under this law, municipalities obtained approval for a class environmental assessment of municipal projects. This Class EA approval covers municipal transportation projects and plans. As described in this Class EA, "Master Plans are long range plans which integrate infrastructure requirements for existing and future land use with environmental assessment planning principles. These plans examine an infrastructure system(s) or group of related projects in order to outline a framework for planning for subsequent projects and/or developments" (Municipal Class Environmental Assessment, Update: October 2000, as amended in 2007 & 2011, p a-32).

Following the adoption of ROPA 38, the Region prepared a Transportation Master Plan (TMP) that was adopted in 2011. The TMP provides the strategies, policies, and tools for the development of a balanced and sustainable transportation system that will support the objectives of Sustainable Halton and meet the Region's transportation needs safely, effectively, and cost efficiently to 2031.

ROP Policy 173(3) encourages agencies having jurisdiction over any major transportation facilities of Regional significance in Halton to have regard to the contents of Table 3 to the Region's Plan and to consult the Region in the planning, design, and construction of such facilities.

### C.3.1 Major Transportation Facilities (cont'd)

In further alignment with the ROP, the Region carried out a multi-year environmental assessment of the required expansion of Britannia Road. This EA was carried out under Ontario's Municipal Class Environmental Assessment of Municipal Projects which applies to municipal road projects. This EA process requires consideration of a broad array of factors consistent with Ontario EA legislation and its definition of "environment." Additionally, this Class EA requires proponents to describe and evaluate alternatives, including alternative transportation modes and corridor designs, and provides stakeholders with numerous opportunities for input and an opportunity to seek provincial intervention at the end of the EA process if the municipal proponent has not addressed all concerns. The Region completed the Britannia Road EA in 2015. No stakeholder sought provincial intervention. The Region is therefore proceeding with this expansion of Britannia Road from 2 to 6 lanes. Further, as an illustration of innovative transportation planning under the Class EA, the Region has planned several major regional roundabouts instead of signalized intersections.

#### **Relationship to provincial plans and policy statements**

PPS 1.1.3.2 Land use patterns within *settlement areas* shall be based on:

a) densities and a mix of land uses which: 1. efficiently use land and resources; 2. are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; 3. minimize negative impacts to air quality and climate change, and promote energy efficiency; 4. support *active transportation*; 5. are *transit-supportive*, where transit is planned, exists or may be developed; and 6. are freight-supportive;

PPS 1.6.7.1: *Transportation systems* should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.

PPS 1.6.7.3: As part of a *multimodal transportation system*, connectivity within and among *transportation systems* and modes should be maintained and, where possible, improved including connections which cross jurisdictional boundaries.

PPS 1.6.7.5: Transportation and land use considerations shall be integrated at all stages of the planning process.

PPS 1.7.1: Long-term economic prosperity should be supported by:... f) providing for an efficient, cost-effective, reliable *multimodal transportation system* that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs to support the movement of goods and people;

PPS "Development" means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the *Planning Act*, but does not include:

a) activities that create or maintain *infrastructure* authorized under an environmental assessment process;

PPS "Infrastructure" means physical structures (facilities and corridors) that form the foundation for development. *Infrastructure* includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

PPS "Major facilities" means facilities which may require separation from *sensitive land uses* including but not limited to airports, transportation infrastructure and corridors, *rail facilities*, *marine facilities*, sewage treatment facilities, *waste management systems*, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.

PPS "Major goods movement facilities and corridors" means transportation facilities and corridors associated with the inter- and intra-provincial movement of goods. Examples include: inter-modal facilities, ports, *airports*, *rail facilities*, truck terminals, freight corridors, freight facilities, and haul routes and primary transportation corridors used for the movement of goods. Approaches that are freight-supportive may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

PPS "Rail facilities" means rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses, including designated lands for future *rail facilities*.

### C.3.1 Major Transportation Facilities (cont'd)

GP 3.2.2.1: The *transportation system* within the GGH will be planned and managed to –

a) provide connectivity among transportation modes for moving people and for moving goods b) offer a balance of transportation choices that reduces reliance upon any single mode and promotes transit, cycling and walking c) be sustainable, by encouraging the most financially and environmentally appropriate mode for trip-making...e) provide for the safety of system users.

GP 3.2.3.1: Public transit will be the first priority for transportation infrastructure planning and major transportation investments.

GP 3.2.3.2: All decisions on transit planning and investment will be made according to the following criteria:a) Using transit infrastructure to shape growth, and planning for high residential and employment densities that ensure the efficiency and viability of existing and planned transit service levels;

GP 3.2.3.3: Municipalities will ensure that pedestrian and bicycle networks are integrated into transportation planning to – a) provide safe, comfortable travel for pedestrians and bicyclists within existing communities and new development

GP 3.2.4.4: Municipalities will provide for the establishment of priority routes for goods movement, where feasible, to facilitate the movement of goods into and out of areas of significant employment, industrial and commercial activity and to provide alternate routes connecting to the provincial network.

GP “Inter-modal Facility”: A location where transfers between modes can be made as part of a single journey. For example, a typical freight inter-modal facility is a rail yard where containers are transferred between trucks and trains.

GP “Transportation System”: A system consisting of corridors and rights-of-way for the movement of people and goods, and associated transportation facilities including transit stops and stations, cycle lanes, bus lanes, high occupancy vehicle lanes, rail facilities, park-and-ride lots, service centres, rest stops, vehicle inspection stations, inter-modal terminals, harbours, and associated facilities such as storage and maintenance. (Provincial Policy Statement, 2005).

#### **Application to Project**

This standard applies to the Project as it is a Major Transportation Facility. The ROP considers future transportation facilities, but provides no recognition of the Project.

#### **Figures**

Figure 23 illustrates the major transportation facilities within the Region.

## C.3.2 Planned Transportation Corridors

**Standard: To plan for and protect planned corridors and rights-of-way for transportation and transport facilities to meet current and projected needs and prevent negative effects on the use of the planned corridor for the purpose(s) for which it was identified or being actively planned.**

**Test for SAEs: New unplanned corridor to meet new unplanned transportation needs.**

### Source

ROP 173(1.1)

Work with the Province and Local Municipalities to plan for and protect *planned corridors* and rights-of-way for transportation and transport facilities, as shown on Map 3, to meet current and projected needs. *Development* shall not preclude or negatively affect the use of the *planned corridor* for the purpose(s) for which it was identified or being actively planned.

### Purpose

Policy 173(5) requires that the Region secure arterial road rights-of-way through the development process based on the widths shown on Map 4 to the ROP, and rights-of-way for future grade crossings of an Arterial Road with a rail line having general dimensions shown on Figure 3 to the ROP. This policy may be implemented by site plan control under s.41 of the *Planning Act* where council of the local municipality declares an area to be a site plan control area.

### Relationship to provincial plans and policy statements

PPS 1.6.7.2: Efficient use shall be made of existing and planned *infrastructure*, including through the use of *transportation demand management* strategies, where feasible."

PPS 1.6.8.2: *Major goods movement facilities and corridors* shall be protected for the long term.

PPS 1.6.8.3: Planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified. New *development* proposed on *adjacent lands* to existing or *planned corridors* and transportation facilities should be compatible with and supportive of the long-term purposes of the corridor and should be designed to avoid, mitigate, or minimize negative impacts on and from the corridor and transportation facilities.

PPS 1.6.8.5: When planning for corridors and rights-of-way for significant transportation, electricity transmission, and *infrastructure* facilities, consideration will be given to the significant resources in Section 2: Wise Use and Management of Resources.

PPS "transportation demand management" means a set of strategies that result in more efficient use of the transportation system by influencing travel behaviour by mode, time of day, frequency, trip length, regulation, route, or cost.

PPS "Freight-supportive": in regard to land use patterns, means transportation systems and facilities that facilitate the movement of goods. This includes policies or programs intended to support efficient freight movement through the planning, design and operation of land use and transportation systems. Approaches may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

PPS "Multimodal transportation system" means a transportation system which may include several forms of transportation such as automobiles, walking, trucks, cycling, buses, rapid transit, rail (such as commuter and freight), air and marine.

GP 3.2.3.2: *Transportation system* planning, land use planning, and transportation investment, will be co-ordinated to implement this Plan.

GP 3.2.2.3: In planning for the development, optimization, and/or expansion of new or existing *transportation corridors*, the Ministers of Infrastructure and Transportation, other Ministers of the Crown, other public agencies and municipalities will – a) ensure that corridors are identified and protected to meet current and projected needs for various travel modes b) support opportunities for *multi-modal* use where feasible, in particular prioritizing transit and goods movement needs over those of single occupant automobiles c) consider increased opportunities for moving people and moving goods by rail, where appropriate d) consider separation of modes within corridors, where appropriate e) for goods movement corridors, provide for linkages to planned or existing inter-modal opportunities where feasible.



### C.3.2 Planned Transportation Corridors (cont'd)

GP 3.2.4.4: Municipalities will provide for the establishment of priority routes for goods movement, where feasible, to facilitate the movement of goods into and out of areas of significant employment, industrial and commercial activity and to provide alternate routes connecting to the provincial network.

GP 3.2.4.5: Municipalities will plan for land uses in *settlement areas* adjacent to, or in the vicinity of, transportation facilities such as *inter-modal facilities*, rail yards, airports, dockyards, and major highway interchanges that are compatible with, and supportive of, the primary goods movement function of these facilities.

GP "Transportation Corridor": A thoroughfare and its associated buffer zone for passage or conveyance of vehicles or people. A transportation corridor includes any or all of the following: a) Major roads, arterial roads, and highways for moving people and goods; b) Rail lines/railways for moving people and goods; c) Transit rights-of-way/transitways including buses and light rail for moving people.

#### **Application to Project**

This standard is relevant and applies to the Project because the Project location abuts two regional roads, including Britannia Road to the north which is approved for a major future expansion. This standard seeks to protect existing and planned transportation corridors; however, the ROP does not recognize the Project as a planned corridor to meet projected needs.

### C.3.3 Rail Networks & Crossings

**Standard:** To support the provision of a safe and efficient railway network by securing grade separations of rail-ways and arterial roads where warranted, supporting the monitoring and necessary actions to improve the safety of the movement of dangerous goods by rail, and ensuring where possible compatible uses adjacent or in proximity to railway corridors and terminal facilities including railway yards and intermodal facilities.

**Test for SAEs:**

(1) New unsafe rail-road grade crossing

(2) New unsafe movement of dangerous goods

(3) New land use incompatibility adjacent to or in proximity to railways corridors or facilities.

#### Source

ROP 173(31)

It is the policy of the Region to support the provision of a safe and efficient railway network by:

- a) securing grade separations of railways and *Arterial Roads* where warranted;
- b) supporting the continuous monitoring and necessary actions to improve the safety of the movement of dangerous goods by rail; and
- c) ensuring, where possible, compatible land uses adjacent or in proximity to railway corridors and terminal facilities including railway yards and inter-modal terminals.

#### Purpose

This standard focuses on railway safety. It addresses three topics relevant to railway transportation: the need for grade separation of railways and Regional arterial roads, the transportation of dangerous goods by rail, and the compatibility of railway corridors and facilities with adjacent or proximate land uses.

These ROP purposes are supported by new federal regulations for grade crossings under the *Railway Safety Act*. Federal documents provide that the primary objective of the Grade Crossings Regulations is to increase safety at Canada's federally-regulated grade crossings and to reduce the incidence of deaths, injuries, property damage, and environmental damage. To achieve this, these Regulations promote safety by:

- establishing enforceable safety standards for grade crossings;
- clarifying the roles and responsibilities of railway companies, road authorities, and private authorities; and
- promoting collaboration between railway companies and road authorities.

#### Relationship to provincial plans and policy statements

PPS 1.6.7.1: *Transportation systems* should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.

PPS 1.6.7.4: A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and *active transportation*.

PPS 1.6.8.2: *Major goods movement facilities and corridors* shall be protected for the long term.

PPS "Major goods movement facilities and corridors" means transportation facilities and corridors associated with the inter- and intra-provincial movement of goods. Examples include: inter-modal facilities, ports, *airports*, *rail facilities*, truck terminals, freight corridors, freight facilities, and haul routes and primary transportation corridors used for the movement of goods. Approaches that are freight-supportive may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

### C.3.3 Rail Networks & Crossings (cont'd)

GP 3.2.2.1: 1. The transportation system within the GGH will be planned and managed to –

a) provide connectivity among transportation modes for moving people and for moving goods b) offer a balance of transportation choices that reduces reliance upon any single mode and promotes transit, cycling and walking ...d) offer multi-modal access to jobs, housing, schools, cultural and recreational opportunities, and goods and services e) provide for the safety of system users.

GP 3.2.3.2: *Transportation system* planning, land use planning, and transportation investment, will be co-ordinated to implement this Plan.

GP 3.2.2.3: In planning for the development, optimization, and/or expansion of new or existing *transportation corridors*, the Ministers of Infrastructure and Transportation, other Ministers of the Crown, other public agencies and municipalities will – a) ensure that corridors are identified and protected to meet current and projected needs for various travel modes b) support opportunities for *multi-modal* use where feasible, in particular prioritizing transit and goods movement needs over those of single occupant automobiles c) consider increased opportunities for moving people and moving goods by rail, where appropriate d) consider separation of modes within corridors, where appropriate e) for goods movement corridors, provide for linkages to planned or existing inter-modal opportunities where feasible.

GP 3.2.4.4: Municipalities will provide for the establishment of priority routes for goods movement, where feasible, to facilitate the movement of goods into and out of areas of significant employment, industrial and commercial activity and to provide alternate routes connecting to the provincial network.

GP 3.2.4.5: Municipalities will plan for land uses in *settlement areas* adjacent to, or in the vicinity of, transportation facilities such as *inter-modal* facilities, rail yards, airports, dockyards, and major highway interchanges that are compatible with, and supportive of, the primary goods movement function of these facilities.

#### **Application to Project**

This standard applies to the Project because it requires a new crossing of a local road (Base Line Road) and may require a grade separation of the crossing of Tremaine Road, a Regional arterial road. The Project also raises new land use compatibility issues because of its proximity to existing and approved residential lands. This proximity to residents also raises greater concern about the transportation of dangerous goods by rail.

#### **Figures**

Figures 24 and 25 illustrate the rail use implications of three different lengths of train on the CN rail lines. These Figures illustrate where trains will extend as they use the proposed rail loading and unloading facilities of the Project.

## Part D: Agriculture

Agriculture standards apply to the Project because some CN physical activities and future works are proposed for Prime Agricultural Areas outside the Urban Area. Figure 27 illustrates the Prime Agricultural Areas at and in the vicinity of the Project location.

The agricultural system in Halton includes the provincial Greenbelt. Through 2005 legislation and the Greenbelt Plan, lands within the Greenbelt are permanently protected from new urban development and are reserved for rural activity. The ROP gives express recognition to the agricultural system in the Region. The agricultural system gives priority to preserving and promoting existing agricultural activity on the prime agricultural lands within Halton.

Consistent with provincial policy, the ROP provides standards to protect prime agricultural lands from piecemeal urban encroachment.

### D.1 Valued Components from the ROP

See Table D.6 in the Halton Brief for a list of the VCs identified in the EIS Guidelines addressed by each of the above ROP VCs.

- Agriculture
- Agricultural lands

## D.2 Desired Outcomes

### ROP Goal

91 The goal of the Agricultural System is to maintain a permanently secure, economically viable *agricultural industry* and to preserve the open-space character and landscape of *Halton's* non-urbanized areas.

### ROP Objectives

99(1) To recognize *agriculture* as the primary activity and land use in the Agricultural System.

99(2) To preserve *Prime Agricultural Areas*, as shown on Map 1E, and *prime agricultural lands*.

99(3) To maintain as much as possible lands for existing and future farm use.

99(4) To protect farms from incompatible activities and land uses which would limit agricultural productivity or efficiency.

99(4.1) To promote *normal farm practices* and to protect the *right to farm*.

99(11) To retain or increase *tree cover* for harvest, soil erosion protection, and buffering from adjoining non-farm land uses.

## D.3 Standards and SAEs

### D.3.1 Agriculture

**Standard: Recognize and protect lands within the Agricultural System and direct non-farm uses to the Urban Area, Hamlets, and Rural Clusters unless specifically permitted by policies of the ROP.**

**Test for SAEs: New, non-farm physical activity on lands within the agricultural system.**

#### Source

ROP 101(1.6)

Recognize and protect lands within the Agricultural System as an important natural resource to the economic viability of *agriculture* and to this end:

a) Direct non-farm uses to the Urban Area, *Hamlets* and *Rural Clusters* unless specifically permitted by *policies* of this Plan.

#### Purpose

ROP 101(1.6) recognizes that agriculture is identified as a Provincial Interest in Section 2 of the *Planning Act*. This policy implements PPS Policy 2.3.1 which states, "Prime agricultural areas shall be protected for long-term use for agriculture."

Prime agricultural areas are areas where prime agricultural lands predominate. Specialty crop areas shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the prime agricultural area, in this order of priority.

#### Relationship to provincial plans and policy statements

PPS 2.3.1: *Prime agricultural areas* shall be protected for long-term use for agriculture.

*Prime agricultural areas* are areas where *prime agricultural lands* predominate. *Specialty crop areas* shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the *prime agricultural area*, in this order of priority.

PPS 2.3.2: Planning authorities shall designate *prime agricultural areas* and *specialty crop areas* in accordance with guidelines developed by the Province, as amended from time to time.

PPS 2.3.6.1: Planning authorities may only permit non-agricultural uses in *prime agricultural areas* for: ...limited non-residential uses, provided that all of the following are demonstrated:

1. the land does not comprise a *specialty crop area*;
2. the proposed use complies with the *minimum distance separation formulae*;
3. there is an identified need within the planning horizon provided for in policy 1.1.2 for additional land to be designated to accommodate the proposed use; and
4. alternative locations have been evaluated, and i. there are no reasonable alternative locations which avoid *prime agricultural areas*; and ii. there are no reasonable alternative locations in *prime agricultural areas* with lower priority agricultural lands.

#### Application to Project

This standard applies to the Project because some CN physical activities and future works are proposed for lands outside the Urban Area that are designated for continued agricultural use.

#### Figures

Figure 26 illustrates the Region's Agricultural System and its Urban Area boundary.

Figures 27 and 28 illustrate the prime agricultural areas at and in the vicinity of the Project location.

Figures 29 and 30 illustrate the distribution of the highest quality soils for agricultural uses. In these Figures, the highest quality soils are Class 1 soils followed by Class 2 and 3 soils. The PPS identifies lands having Class 1-3 soils as prime agricultural lands. Further, the PPS defines prime agricultural areas as lands where prime agricultural lands predominate.

Figure 31 illustrates the Province's Greenbelt Protected Countryside boundary which addresses lands identified for permanent agricultural protection and use.

## D.3.2 Agricultural Lands

**Standard: To recognize, encourage and protect agriculture as the primary long-term activity and land use throughout the agricultural system.**

**Test for SAEs: New, unpermitted, non-agricultural physical activity within the Agricultural Area.**

### Source

ROP 101(2)

It is the *policy* of the *Region* to recognize, encourage and protect *agriculture* as an important industry in Halton and as the primary long-term activity and land use throughout the Agricultural System, ...

ROP 100

Subject to other *policies* of this Plan, applicable policies of the Greenbelt Plan and Niagara Escarpment Plan, and applicable Local Official Plan *policies* and Zoning By-laws, the following uses may be permitted in the Agricultural Area:

...

100(8) transportation and *utility* facilities,

100(9) *accessory buildings or structures*,

100(10) *incidental uses*, ...

### Purpose

Long-term agriculture is the primary use for the lands designated Agricultural Areas. The ROP also makes provision to allow other uses in these areas. Other uses may be permitted provided that they are not inconsistent with long-term agriculture. These restrictions ensure that agriculture continues to be the primary activity and land use in the designated area.

### Relationship to provincial plans and policy statements

Although ROP 100(8) contemplates that “transportation and utility facilities” may be permitted in the Agricultural Area, it will only be where the development does not conflict with the policies of the Greenbelt Plan, Niagara Escarpment Plan and applicable Local Official Plan policies and Zoning By-laws. For example, ROP 139.3.7(1) prohibits development or site alteration within the Key Features of the Greenbelt Natural Heritage System. Similarly, section 2.15 of the Niagara Escarpment Plan provides guidance that “new transportation and utility facilities should avoid Escarpment Natural Areas” and Agricultural Areas should be avoided where possible and protected when new transportation and utility facilities are being considered and developed. In certain areas, namely the escarpment rural area and escarpment protection area, only linear transportation facilities will be permitted.

### Application to Project

This standard applies to the Project because it proposes land use that constitutes urban development and is therefore inconsistent with long-term agriculture; however, this standard must be consistent with ROP policy 100 which authorizes transportation facilities in the Agricultural Area.

### Figures

Figures 27 and 28 illustrate the Prime Agricultural Areas at and in the vicinity of the Project location.

## Part E: Residential

Standards relating to residential communities and residential lands are relevant to the Project because the Project neighbourhood includes existing and planned residential communities north of Britannia Road. Figures 32 and 33 illustrate the existing and planned residential properties and communities at and in the vicinity of the Project location. These Figures also illustrate all sensitive land uses related to these residential land uses. The term “sensitive land uses” comes from the PPS. Figure 36 illustrates the densities per hectare of the planned residential communities in the vicinity of the Project location.

Provincial law requires attention to avoiding adverse effects to air and noise emissions. The PPS provides broader guidance to promote healthy communities. It seeks to ensure land use compatibility between sensitive land uses like homes, schools, and hospitals, and major facilities such as transportation works. It covers noise and air quality effects and, in general, addresses a broader range of adverse effects than do the current numeric standards published by the Province. Additional effects include night-time lighting levels and the cumulative effects of existing and proposed emission sources. Figure 37 illustrates the extent of noise impact zones in relation to the Project location, using the Provincial guidance that distinguishes impact zones of 0 to 70 m, 70 to 300 m, and 300 to 1,000 m.<sup>11</sup>

The ROP provides systematic treatment of residential lands in order to support provincial policy promoting complete and healthy communities. It also does so to conform to binding provincial policy to accommodate major growth in urban populations across the Greater Golden

Horseshoe. This policy targets urban areas and imposes numerical targets on municipalities to intensify their residential land use and promote mixed land use with residential and other compatible land uses.

### E.1 Valued Components from the ROP

See Table D.7 in the Halton Brief for a list of the VCs identified in the EIS Guidelines addressed by each of the above ROP VCs.

- Healthy communities
- Noise on residential sensitive land uses
- Night-time light on residential sensitive land uses

## E.2 Desired Outcomes

### ROP Vision

ROP 2 This Plan outlines a long term vision for *Halton's* physical form and community character...

ROP 17 Part II explains the general philosophy and planning vision of the Plan, leading to the two planning concepts of "land stewardship" and "healthy communities." These concepts form the basis for the development of *policies* in this Plan.

ROP 19 Part IV details *policies* contributing to "healthy communities," which may apply to any land use designation.

ROP 27(1) In *Halton's* vision, its future landscape will always consist of three principal categories of land uses in large measures: *settlement areas* with identifiable communities,

ROP 31 In its vision of planning for *Halton's* future, *Halton* believes in building "healthy communities." A healthy community is one:

31(1) that fosters among the residents a state of physical, mental, social and economic well-being;

31(2) where residents take part in, and have a sense of control over, decisions that affect them;

31(3) that is physically so designed to minimize the stress of daily living and meet the life-long needs of its residents;

31(4) where a full range of housing, employment, social, health, educational, recreational and cultural opportunities are accessible for all segments of the community;

31(5) where mobility is provided primarily through an affordable, convenient, safe and efficient public transportation system and non-motorized travel modes; and

31(6) where the principles of sustainability are embraced and practised by residents, businesses and governments.

### ROP Objectives

72(1) To accommodate growth in accordance with the *Region's* desire to improve and maintain regional unity, retain local community identity, create healthy communities, promote economic prosperity, maintain a high quality, sustainable *natural environment*, and preserve certain landscapes permanently.

72(3) To provide a range of identifiable, inter-connected and *complete communities* of various sizes, types and characters, which afford maximum choices for residence, work and leisure.

72(5) To establish a rate and phasing of growth that ensures the logical and orderly progression of development, supports sustainable and cost-effective growth, encourages *complete communities*, and is consistent with the *policies* of this Plan.

150(2) To develop and maintain healthy communities by fostering physical, social and economic conditions that will enhance the state of well-being and the quality of life for the residents of *Halton*.

142(8) To address the impact of air pollution, noise, vibration and light on land uses.

114.1(15) To preserve and enhance air quality.

142(2) To improve air quality and to address the impact of climate change.

142(4) To contribute to the overall improvement of air quality in *Halton's* airshed through facility management, land use planning, transportation management, roadway design, operation and maintenance, and other complementary programs.



## E.3 Standards and SAEs

### E.3.1 Healthy Communities

**Standard: To require development in designated greenfield areas to contribute to creating healthy communities.**

**Test for SAEs: New physical activity that does not contribute to creating a healthy community.**

#### Source

ROP 77(2.4)

It is the *policy* of the *Region* to require *development* occurring in *Designated Greenfield Areas* to:

...b) contribute to creating healthy communities;

#### Purpose

The goals and policies in the ROP affirm the Region's interest in ensuring an assessment of air quality impacts for new growth areas in line with PPS policies. This concept is echoed and supported by CEAA 19(1)(a)19. (1) in order to protect "human health, including potential changes to air quality, drinking water quality, and noise exposure in local vicinity."

In addition, the Growth Plan requires dense residential growth in the Region of Halton. Since the lands north of Britannia Road and adjacent to the CN Project location are intended to meet Growth Plan residential density requirements and avoid sprawl in non-Designated Greenfield Areas, the Region is not at liberty to relocate the planned residential lands. In this way, conflicting land uses that affect sensitive residential receptors should be avoided to create a liveable residential community that complies with both the PPS and Growth Plan policies.

#### Relationship to provincial plans and policy statements

PPS 1.1.1: Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs; ...
- g) ensuring that necessary *infrastructure*, electricity generation facilities and transmission and distribution systems, and *public service facilities* are or will be available to meet current and projected needs; and
- h) promoting development and land use patterns that conserve biodiversity and consider the impacts of a changing climate.

PPS 1.2.6.1: *Major facilities* and *sensitive land uses* should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate *adverse effects* from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of *major facilities*.

PPS 1.1.3.2: Land use patterns within *settlement areas* shall be based on: a) densities and a mix of land uses which:

- 1. efficiently use land and resources;
- 2. are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- 3. minimize negative impacts to air quality and climate change, and promote energy efficiency;
- 4. support *active transportation*;
- 5. are *transit-supportive*, where transit is planned, exists or may be developed; and
- 6. are *freight-supportive*; ...

### E.3.1 Healthy Communities (cont'd)

PPS 1.3.1: Planning authorities shall promote economic development and competitiveness by:

c) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities...

PPS 1.2.1: A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies and boards including:

a) managing and/or promoting growth and development;

b) economic development strategies...;

d) *infrastructure*, electricity generation facilities and transmission and distribution systems, *multimodal transportation systems*, *public service facilities* and *waste management systems*...;

g) population, housing and employment projections, based on *regional market areas*; and

h) addressing housing needs in accordance with provincial policy statements such as the Ontario Housing Policy Statement.

GP 2.2.1.1: Population and employment forecasts contained in Schedule 3 for all upper- and single-tier municipalities will be used for planning and managing growth in the *GGH*.

GP 2.2.2.1: Population and employment growth will be accommodated by

a) directing a significant portion of new growth to the *built-up areas* of the community through *intensification*;

b) focusing *intensification* in *intensification areas*...;

h) encouraging cities and towns to develop as *complete communities* with a diverse mix of land uses, a range and mix of employment and housing types, high quality public open space and easy access to local stores and services;

i) directing development to *settlement areas*, except where necessary for development related to the management or use of resources, resource-based recreational activities, and rural land uses that cannot be located in *settlement areas*;

j) directing major growth to *settlement areas* that offer *municipal water and wastewater systems* and limiting growth in *settlement areas* that are serviced by other forms of water and wastewater services

k) prohibiting the establishment of new *settlement areas*.

GP 2.2.3.1: By the year 2015 and for each year thereafter, a minimum of 40 per cent of all residential development occurring annually within each upper- and single-tier municipality will be within the *built-up area*.

GP 2.2.3.6: All municipalities will develop and implement through their official plans and other supporting documents, a strategy and policies to phase in and achieve *intensification* and the *intensification target*. This strategy and policies will

a) be based on the growth forecasts contained in Schedule 3, as allocated to lower-tier municipalities in accordance with policy 5.4.2.2

b) encourage *intensification* generally throughout the *built-up area*

c) identify *intensification areas* to support achievement of the *intensification target*

d) incorporate the *built boundary* delineated in accordance with Policy 2.2.3.5

e) recognize *urban growth centres*, *intensification corridors* and *major transit station areas* as a key focus for development to accommodate *intensification*

f) facilitate and promote *intensification*

### E.3.1 Healthy Communities (cont'd)

- g) identify the appropriate type and scale of development in *intensification areas*
- h) include *density targets* for *urban growth* centres where applicable, and minimum density targets for other *intensification areas* consistent with the planned transit service levels, and any *transit-supportive* land-use guidelines established by the Government of Ontario
- i) plan for a range and mix of housing, taking into account *affordable* housing needs) encourage the creation of secondary suites throughout the built-up area.

GP 2.2.3.7: All *intensification areas* will be planned and designed to

- a) cumulatively attract a significant portion of population and employment growth
- b) provide a diverse and compatible mix of land uses, including residential and employment uses, to support vibrant neighbourhoods
- c) provide high quality public open spaces with site design and urban design standards that create attractive and vibrant places
- d) support transit, walking and cycling for everyday activities
- e) generally achieve higher densities than the surrounding areas
- f) achieve an appropriate transition of built form to adjacent areas.

GP 2.2.4.5: *Urban growth centres* will be planned to achieve, by 2031 or earlier, a minimum *gross density target* of –

- b) 200 residents and jobs combined per hectare for each of the Downtown Brampton, Downtown Burlington, Downtown Hamilton, Downtown Milton, Markham Centre, Mississauga City Centre, Newmarket Centre, Midtown Oakville, Downtown Oshawa, Downtown Pickering, Richmond Hill/Langstaff Gateway, Vaughan Corporate Centre, Downtown Kitchener and Uptown Waterloo *urban growth centres*

GP 2.2.7.1: New development taking place in *designated greenfield areas* will be planned, designated, zoned and designed in a manner that

- a) contributes to creating *complete communities*...
- c) provides a diverse mix of land uses, including residential and employment uses, to support vibrant neighbourhoods
- d) creates high quality public open spaces with site design and urban design standards that support opportunities for transit, walking and cycling

GP 2.2.7.2: The *designated greenfield area* of each upper- or single-tier municipality will be planned to achieve a minimum *density target* that is not less than 50 residents and jobs combined per hectare.

#### **Application to Project**

This standard applies to the Project as an intermodal rail hub can be expected to emit noise, air quality contaminants, and other contaminants.

### E.3.2 Noise on Residential Sensitive Land Uses

**Standard:** To ensure that high noise generating activities are located away from residential development or are appropriately buffered.

**Test for SAEs:** New physical activity generating noise that is not located away or appropriately buffered from residential development.

#### Source

ROP 143(8)

It is the policy of the Region to in conjunction with the Local Municipalities reduce noise impact of *Arterial Roads* on adjacent existing residential uses in accordance with Council-adopted noise abatement guidelines.

Town OP 2.5.3.6

The Town will ensure that high noise and light generating activities such as major lighted sports facilities are located away from residential development or are appropriately buffered.

#### Purpose

The purpose of this standard is to protect residential communities from noise pollution that affects residents' quality of life.

#### Relationship to provincial plans and policy statements

PPS 1.2.6.1: *Major facilities* and *sensitive land uses* should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate *adverse effects* from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of *major facilities*.

PPS "major facilities" means facilities which may require separation from *sensitive land uses*, including but not limited to airports, transportation infrastructure and corridors, *rail facilities*, *marine facilities*, sewage treatment facilities, *waste management systems*, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.

PPS 1.1.1: Healthy, liveable and safe communities are sustained by ... (c) avoiding development and land use patterns which may cause environmental or public health and safety concerns.

GP 2.2.1.1, 2.2.2.1, 2.2.3.1, 2.2.3.6, 2.2.3.7, 2.2.4.5, 2.2.7.1, and 2.2.7.2 require Halton to plan for dense, residential growth within designated areas. Under the ROP, such lands include the lands north of Britannia Road, which are in the vicinity of the Project.

#### Application to Project

This standard applies to the Project because an intermodal rail hub will generate noise off-site and there are approved residential development lands beside the proposed expanded rail lines and in the vicinity of other Project activities.

### E.3.3 Night-time Light on Residential Sensitive Land Uses

**Standard:** To ensure that high light generating activities are located away from residential development or are appropriately buffered.

**Test for SAEs:** New physical activity generating night-time light that is not located away or appropriately buffered from residential development.

**Source**

Town OP 2.5.3.6

The Town will ensure that high noise and light generating activities such as major lighted sports facilities are located away from residential development or are appropriately buffered.

**Purpose**

The purpose of this standard is to protect residential communities from night-time light effects from high light-generating activities. This Town standard is supported by numerous provincial standards found in the PPS and Growth Plan. These provincial standards require Halton to plan for dense, residential growth within designated areas, including the lands north of Britannia Road, which are adjacent to the Project.

**Relationship to provincial plans and policy statements**

PPS: 1.1.1(c): cited under E.3.1, above.

PPS 1.2.6.1: cited under E.3.1, above.

GP 2.2.1.1, 2.2.2.1, 2.2.3.1, 2.2.3.6, 2.2.3.7, 2.2.4.5, 2.2.7.1 and 2.2.7.2; cited under E.3.1, above.

**Application to Project**

This standard applies to the Project as the Project is expected to operate 24/7 in the vicinity of existing and planned residential development.

## Part F: Employment

Employment and employment land use standards are relevant to the Project because the majority of the physical activities proposed for the Project take place on lands that are designated for employment use and subject to minimum employment density targets. Figure 39 illustrates the designated employment lands at and in the vicinity of the Project location.

Provincial policy targets urban areas and imposes numerical targets on municipalities to intensify their employment land use and promote mixed land use with residential and other compatible land uses. Based on provincial law and policy, a municipality may expand its urban boundary into a rural area only where it has no realistic alternative.

The ROP provides systematic treatment of employment lands. It does so:

- to support provincial policy which promotes complete and healthy communities and seeks to stop or reduce urban sprawl into rural areas; and
- to conform to binding provincial policy to accommodate major growth in urban populations across the Greater Golden Horseshoe.

The approved 2014 Regional Official Plan represents the result of an eight-year process undertaken by the Region to address employment growth targets with minimal intrusion into rural areas. The ROP sets out clear urban boundaries across the Region to the year 2031 and requires that each lower-tier municipality provide its future employment within these boundaries. The Province has also established employment density targets to be met by all municipalities, including the Region and the Town of Milton. All of the lands designated as employment lands within the ROP represent the Region's response to provincial targets.

Ontario provides municipalities with a range of financial tools to facilitate growth in a fiscally sustainable way. The ROP also represents the Region's solution to growth in a sustainable way. Sustainable financing of growth involves substantial contributions from developers, with preference to infill over greenfield development.

### F.1 Valued Components from the ROP

See Table D.8 in the Halton Brief for a list of the VCs identified in the EIS Guidelines addressed by each of the above ROP VCs.

- Designated Greenfield Areas
- Employment use and density
- Urban Services for Employment Areas
- Urban Employment Lands & Transportation Facilities
- Municipal finances
- Cultural heritage resources

## F.2 Desired Outcomes

### ROP Vision

ROP 31(4) In its vision of planning for *Halton's* future, *Halton* believes in building “healthy communities.” A healthy community is one: ...where a full range of housing, employment, social, health, educational, recreational and cultural opportunities are accessible for all segments of the community

ROP 55 The Regional Structure is accompanied by a growth strategy for *Halton* based on the distribution of population and employment for the planning horizon year of 2031 as contained in Table 1, and in accordance with the Regional phasing outlined on Map 5, as well as by other *infrastructure* elements such as transportation systems and *urban services* and other *policies* of this Plan.

### ROP Goal

ROP 165 The goal for *Cultural Heritage Resources* is to protect the material, cultural and built heritage of *Halton* for present and future generations.

### ROP Objectives

ROP 72 For the Urban Area

(1) To accommodate growth in accordance with the *Region's* desire to improve and maintain regional unity, retain local community identity, create healthy communities, promote economic prosperity, maintain a high quality, sustainable *natural environment*, and preserve certain landscapes permanently.

...

(5) To establish a rate and phasing of growth that ensures the logical and orderly progression of development, supports sustainable and cost-effective growth, encourages complete communities, and is consistent with the *policies* of this Plan

....

(9) To facilitate and promote *intensification* and increased densities.

(10) To provide for an appropriate range and balance of employment uses including industrial, office and retail and institutional uses to meet long-term needs.

(10.1) To direct where employment uses should be located and to protect areas designated for such uses.

77.1 For employment lands:

(1) To ensure the availability of sufficient land for employment to accommodate forecasted growth to support *Halton's* and its Local Municipalities' economic competitiveness.

(2) To provide, in conjunction with those employment uses within the residential and mixed use areas of the communities, opportunities for a fully-diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.

166 (1) To promote awareness and appreciation of *Halton's* heritage.

166(2) To promote and facilitate public and private stewardship of *Halton's* heritage.

169(1.3) To promote economic activities that strengthen and diversify the economic base of *Halton*.

169(4) To provide necessary *infrastructure*, as permitted by the *Region's* financial capability, in support of the timely *development* of *Employment Areas* and *Halton's* economic base.

208(2) To ensure the provision of an adequate level and uniform delivery of *Regional services* in a cost-effective manner and in accordance with the *Region's* financial resources and capabilities.

208(4) To develop a coordinated and carefully phased program for implementing capital works.

## F.3 Standards and SAEs

### F.3.1 Designated Greenfield Areas

**Standard: To require development in Designated Greenfield Areas to contribute towards achieving the development density target of Table 2 and the regional phasing of Table 2A, and provide a diverse mix of land uses to support vibrant neighbourhoods.**

**Test for SAEs: Physical activity in designated greenfield areas that does not contribute to achievement of development density target or a diverse mix of land uses.**

#### Source

ROP 77(2.4)

It is the policy of the Region to require *development* occurring in *Designated Greenfield Areas* to:

- a) contribute towards achieving the *development density* target of Table 2 and the Regional phasing of Table 2a;
- d) provide a diverse mix of land uses, including residential and employment uses to support vibrant neighbourhoods...

#### Purpose

This standard promotes employment growth and intensification across the Region by providing employment allocations and targets applicable within the Town of Milton.

ROP Tables 1 and 2A identify the approved population and employment distribution and phasing respectively. These tables were derived following comprehensive analysis in addressing Halton's land needs to 2031. Table 2 provides the intensification and density targets for each of the municipalities in the Region. Sustainable Halton Reports found on the Region's website highlights this work that was based on the land budget provided in the "Accommodating Growth to 2031" Report. Further, "Working Paper #2" and "Working Paper #3" provided concepts for addressing Halton's land needs to 2031, including the identification of existing and new employment areas.

Municipalities can be more prescriptive than the Growth Plan as it relates to densities. The target defined in Policy 2.1.4.4 of the Town of Milton Official Plan represents the local requirements to achieve ROP Policy 77(2.4).

#### Relationship to provincial plans and policy statements

PPS 1.1.1 Healthy, liveable and safe communities are sustained by:

- b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

PPS 1.1.3.2 Land use patterns within *settlement areas* shall be based on:

- a) densities and a mix of land uses which:
  1. efficiently use land and resources;
  2. are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
  3. minimize negative impacts to air quality and climate change, and promote energy efficiency;
  4. support *active transportation*;
  5. are *transit-supportive*, where transit is planned, exists or may be developed; and
  6. are *freight-supportive*;
- b) a range of uses and opportunities for *intensification* and *redevelopment* in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

PPS 1.1.3.6: New development taking place in *designated growth areas* should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, *infrastructure* and *public service facilities*.



### F.3.1 Designated Greenfield Areas

PPS 1.1.3.7: Planning authorities shall establish and implement phasing policies to ensure:

- a) that specified targets for *intensification* and *redevelopment* are achieved prior to, or concurrent with, new development within *designated growth areas*; and
- b) the orderly progression of development within *designated growth areas* and the timely provision of the *infrastructure* and *public service facilities* required to meet current and projected needs.

PPS 1.1.3.8: A planning authority may identify a *settlement area* or allow the expansion of a *settlement area* boundary only at the time of a *comprehensive review* and only where it has been demonstrated that:

- a) sufficient opportunities for growth are not available through *intensification*, *redevelopment* and *designated growth areas* to accommodate the projected needs over the identified planning horizon;
- b) the *infrastructure* and *public service facilities* which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment;...

PPS 1.3.1: Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;

PPS 1.3.2.1: Planning authorities shall plan for, protect and preserve *employment areas* for current and future uses and ensure that the necessary *infrastructure* is provided to support current and projected needs.

PPS 1.3.2.2: Planning authorities may permit conversion of lands within *employment areas* to non-employment uses through a *comprehensive review*, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

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

GP 2.2.3.6: All municipalities will develop and implement through their official plans and other supporting documents, a strategy and policies to phase in and achieve *intensification* and the *intensification target*. This strategy and policies will

a) be based on the growth forecasts contained in Schedule 3, as allocated to lower-tier municipalities in accordance with policy 5.4.2.2, ... c) identify *intensification areas* to support achievement of the *intensification target*...

h) include *density targets* for *urban growth centres* where applicable, and minimum density targets for other *intensification areas* consistent with the planned transit service levels, and any *transit-supportive* land-use guidelines established by the Government of Ontario.

GP 2.2.7.1c) : New development taking place in *designated greenfield areas* will be planned, designated, zoned and designed in a manner that – c) provides a diverse mix of land uses, including residential and employment uses, to support vibrant neighbourhoods.

GP 2.2.7.2: The *designated greenfield area* of each upper- or single-tier municipality will be planned to achieve a minimum *density target* that is not less than 50 residents and jobs combined per hectare.

GP 2.2.2.1: Population and employment growth will be accommodated by -

- a) directing a significant portion of new growth to the built-up areas of the community through *intensification*;
- c) building compact, *transit-supportive* communities in *designated greenfield areas*;
- h) encouraging cities and towns to develop as complete communities with a diverse mix of land uses, a range and mix of employment and housing types, high quality public open space and easy access to local stores and services;
- i) directing development to *settlement areas*...

#### **Application to Project**

This standard applies to the Project because an intermodal railway hub is not predicted to provide the targeted intensification and density of the area, nor does it provide a diverse mix of land uses despite having a large footprint.

## F.3.2 Employment Use & Density

**Standard: To plan for, protect and preserve Employment Areas for current and future use.**

**Test for SAEs: Physical activity in Employment Area that is not principally a manufacturing, warehousing, or office use.**

### Source

ROP 77.4(2)

It is the *policy* of the *Region* to plan for, protect and preserve the *Employment Areas* for current and future use.

### Purpose

This standard promotes employment growth and intensification across the Region by preserving Employment Areas for current and future use.

### Relationship to provincial plans and policy statements

According to s.1(5) of the *Planning Act*, "Uses re area of employment," the uses referred to in the definition of "area of employment" in subsection (1) are,

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

According to the *Planning Act*, s.2(k) and (l), "The Minister, the council of a municipality, a local board, a planning board and the Municipal Board, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as...

- (k) the adequate provision of employment opportunities;
- (l) the protection of the financial and economic well-being of the Province and its municipalities..."

S.22(7.3) of the *Planning Act* goes on to state, "If the official plan contains policies dealing with the removal of land from areas of employment, subsection (7.1) also applies in respect of amendments requested under subsection (1) or (2) that propose to remove any land from an area of employment, even if other land is proposed to be added. 2006, c. 23, s. 11 (6)." Subsection 7.1 of the Act ensures that there can be no appeal of a municipal decision to refuse or not adopt an amendment to remove employment lands.

The *Planning Act* is further reinforced by policies of the PPS (1.3.2.1 and 1.3.2.2 referenced above) and Growth Plan (2.2.2.1, 2.2.6.1, and 2.2.6.2) that address the responsibility of the municipality to protect and preserve employment lands in the long term.

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

PPS 1.1.3.8: A planning authority may identify a *settlement area* or allow the expansion of a *settlement area* boundary only at the time of a *comprehensive review* and only where it has been demonstrated that:

- a) sufficient opportunities for growth are not available through *intensification*, *redevelopment* and *designated growth areas* to accommodate the projected needs over the identified planning horizon;
- b) the *infrastructure* and *public service facilities* which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment...

### F.3.2 Employment Use & Density (cont'd)

GP 2.2.2.1: Population and employment growth will be accommodated by – a) directing a significant portion of new growth to the *built-up areas* of the community through *intensification* b) focusing *intensification* in *intensification areas* c) building compact, *transit-supportive* communities in *designated greenfield areas* d) reducing dependence on the automobile through the development of mixed-use, transit-supportive, pedestrian-friendly urban environments e) providing convenient access to intra- and inter-city transit f) ensuring the availability of sufficient land for employment to accommodate forecasted growth to support the *GGH's* economic competitiveness g) planning and investing for a balance of jobs and housing in communities across the *GGH* to reduce the need for long distance commuting and to increase the *modal share* for transit, walking and cycling h) encouraging cities and towns to develop as *complete communities* with a diverse mix of land uses, a range and mix of employment and housing types, high quality public open space and easy access to local stores and services i) directing development to *settlement areas*, except where necessary for development related to the management or use of resources, resource-based recreational activities, and rural land uses that cannot be located in *settlement areas* j) directing major growth to *settlement areas* that offer *municipal water* and *wastewater systems* and limiting growth in *settlement areas* that are serviced by other forms of water and wastewater services k) prohibiting the establishment of new *settlement areas*.

PPS 2.2.6.1: An adequate supply of lands providing locations for a variety of appropriate employment uses will be maintained to accommodate the growth forecasts in Schedule 3.

PPS 2.2.6.2: Municipalities will promote economic development and competitiveness by – a) providing for an appropriate mix of employment uses including industrial, commercial and institutional uses to meet long-term needs b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses c) planning for, protecting and preserving *employment areas* for current and future uses d) ensuring the necessary infrastructure is provided to support current and forecasted employment needs.

The Regional Official Plan accommodates this through the Future Strategic Employment Areas overlay designation (see Map 1C). The Future Strategic Employment overlay designation represents lands that are strategically located with respect to major transportation facilities and existing Employment Areas that are to be protected from incompatible uses beyond the planning horizon of the ROP.

#### **Application to Project**

This standard applies to the Project because it is not clear that any of the uses proposed by the Project fall under the definition of “Uses re area of employment” pursuant to the *Planning Act*. The Project lands also contain Future Strategic Employment Areas.

### F.3.3 Urban Employment Lands and Transportation Facilities

**Standard: Designate lands in the vicinity of existing or planned major highway interchanges, ports, rail yards, and airports for employment purposes once these lands are included in the Urban Area.**

**Test for SAEs: Designation of land for employment related to transportation facility where facility is not approved and/or the land is outside the Urban Area.**

#### Source

ROP 77.4(6)

Subject to Section 77(7), designate lands where appropriate in the vicinity of existing or planned *major highway* interchanges, ports, rail yards and airports for employment purposes that rely on this *infrastructure*, once these lands are included in the Urban Area.

#### Purpose

This standard applies to lands in the vicinity of approved transportation facilities in the Urban Area. Its purpose is to support greater employment uses on lands in the area of such facilities once the transportation facility is approved and the nearby lands are designated within the Urban Area.

#### Relationship to provincial plans and policy statements

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

PPS 1.6.8.3: Planning authorities shall not permit *development* in *planned corridors* that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified. New *development* proposed on *adjacent lands* to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities.

#### Application to Project

This standard is relevant to the Project because requires the designation of urban lands in the vicinity of approved transportation facilities to be designated for employment purposes; however, the Project is not an approved facility and many lands in its vicinity are not within the Region's Urban Area.

#### Figures

Figure 23 illustrates the identified major transportation facilities in the ROP at and in the vicinity of the Project location. Figure 26 illustrates the boundaries of the Urban Area at and in the vicinity of the Project location.

### F.3.4 Urban Services for Employment Areas

**Standard:** The Urban Area consists of areas designated on Map 1 where urban services are or will be made available.

**Test for SAEs:** Physical activity in Urban Area that is not planned to be on urban services.

#### Source

ROP 74

The Urban Area consists of areas so designated on Map 1 where *urban services* are or will be made available to accommodate existing and future urban *development* and amenities. Within the Urban Area, *Employment Areas* and *Urban Growth Centres* are identified on Map 1 as overlays on top of the Urban Area, for which specific *policies* apply.

#### Purpose

This standard promotes employment growth and intensification across the Region by prohibiting urban development outside the Urban Area and therefore concentrating employment.

Map 1, "Regional Structure" provides the boundaries of the designated Urban Area relative to Agricultural Area and Regional Natural Heritage System. In so doing, the Region has designated lands where urban development may take place. When read in conjunction with other policies, such as ROP 101(1.6) which directs non-farm uses to Urban Areas, Hamlets and Rural Clusters, the effect is to prohibit urban development outside of the Urban Areas.

#### Relationship to provincial plans and policy statements

PPS 1.1.3.3: Planning authorities shall identify appropriate locations and promote opportunities for *intensification* and *redevelopment* where this can be accommodated taking into account existing building stock or areas, including *brownfield sites*, and the availability of suitable existing or planned *infrastructure* and *public service facilities* required to accommodate projected needs.

*Intensification* and *redevelopment* shall be directed in accordance with the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.

PPS 1.1.3.6: New development taking place in *designated growth areas* should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, *infrastructure* and *public service facilities*.

PPS 1.1.3.8: A planning authority may identify a *settlement area* or allow the expansion of a *settlement area* boundary only at the time of a *comprehensive review* and only where it has been demonstrated that:

- a) sufficient opportunities for growth are not available through *intensification*, *redevelopment* and *designated growth areas* to accommodate the projected needs over the identified planning horizon;
- b) the *infrastructure* and *public service facilities* which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment...
- d) the new or expanding *settlement area* is in compliance with the *minimum distance separation formulae*...

PPS 1.3.2.1: Planning authorities shall plan for, protect and preserve *employment areas* for current and future uses and ensure that the necessary *infrastructure* is provided to support current and projected needs.

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

GP 2.2.6.2: Municipalities will promote economic development and competitiveness by –

- c) planning for, protecting and preserving *employment areas* for current and future uses

GP 2.2.6.5: Municipalities may permit conversion of lands within *employment areas*, to non-employment uses, only through a *municipal comprehensive review* where it has been demonstrated that

- c) the conversion will not adversely affect the overall viability of the *employment area*, and achievement of the *intensification target*, *density targets*, and other *policies* of this Plan.

#### Application to Project

This standard applies to the Project because it is an urban land use and it includes and abuts non-urban lands.

### F.3.5 Municipal Finances

**Standard:** Ensure that the development industry absorbs the cost of providing services to new development or redevelopment and that any financial impact be based on a financing plan.

**Test for SAEs:** Development that is not covered by or consistent with the Region's current financing plan for required human services.

#### Source

ROP 210(6)

Ensure that the development industry absorbs the cost of providing services to new *development* or redevelopment and that any financial impact of growth on existing taxpayers be based on a financing plan communicated to the taxpayers and subsequently approved by Council.

#### Purpose

This standard provides a fiscal pillar to sustainable development. It requires that development fit within the Region's financing plan, so that no development causes novel, unbudgeted servicing costs to the Region.

ROP 210(6) builds on ROP 77(12). ROP77(12) provides that the Region will prepare, in conjunction with the Local Municipalities, the School Boards and Provincial agencies responsible for other human services, a Joint Infrastructure Staging Plan, based on the distribution of population and employment in Table 1, their forecasts under Section 77(1), any community infrastructure plans under Section 77(5)p), as well as Local and Regional development phasing strategies. This Staging Plan seeks to ensure that infrastructure and human services to support development are planned and financing is secured in advance of need. The Region is also committed to updating the Staging Plan periodically, and using it to set development charges and prepare master plans for the provision of Regional services, in accordance with the Provincial Class Environmental Assessment process.

Through ROPA 38, the Region addressed its land needs to 2031. The report entitled, "Sustainable Halton Fiscal Affordability Analysis" provides an analysis of the anticipated fiscal impact of ROPA 38 to the Region and the Local Municipalities. Sustainable Halton Reports highlight that this work was based on the land budget provided in the "Accommodating Growth to 2031" Report. Further, "Working Paper #2" and "Working Paper #3" provided concepts for addressing Halton's land needs to 2031, including the identification of existing and new employment areas.

Based on the employment forecast, the ROP designated approximately 1,100 gross hectares of new employment land, beyond the areas already designated within the current approved urban boundary. The employment land need was based on future development taking place at currently observed densities. It took into account the increasing proportion of development in the logistics and distribution sectors along the Highway 401 corridor, which are characterized by highly-automated operations with very low employment densities.

The Sustainable Halton Water and Wastewater Master Plan provides a Region-wide review, evaluation and development of water and wastewater servicing strategies for all urban service areas. The Master Plan has used updated planning population and employment estimates for the 2031 planning horizon based on the final Best Planning Estimates as endorsed by Halton Region Council.

Other Region master plans and service plans also relied on these Region forecasts and best planning estimates.<sup>12</sup> These plans represent the Region's approach to ensuring that development is planned and financing is secured in advance of need.

The *Development Charges Act* ("DCA"), section 2(1) enables the council of a municipality to by by-law impose development charges against land to pay for increased capital costs required because of increased needs for services arising from development of the area to which the by-law applies. Section 10(1) of the DCA requires that, before passing a development charge by-law, the council shall complete a development charge background study.

The 2012 Development Charges Background Study for Water, Wastewater, Roads & General Services was prepared in 2012 in accordance with the planning projections in the Best Planning Estimates approved by Council in 2011 (BPE, 2011), as well as the Master Plan capital requirements and associated costs. The Development Charge By-Law prescribes how growth-related costs associated with the capital infrastructure needed to service new development will be recovered.

### F.3.5 Municipal Finances (cont'd)

#### Relationship to provincial plans and policy statements

PPS 1.1.1: Healthy, liveable and safe communities are sustained by:

e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;

PPS 1.1.3.8: A planning authority may identify a settlement area or allow the expansion of a *settlement area* boundary only at the time of a *comprehensive review* and only where it has been demonstrated that:

b) the *infrastructure* and public service facilities which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment...

PPS 1.6.1: Infrastructure, electricity generation facilities and transmission and distribution systems, and *public service facilities* shall be provided in a coordinated, efficient and cost-effective manner to accommodate projected needs. Planning for *infrastructure* and *public service facilities* shall be integrated with planning for growth so that these are available to meet current and projected needs.

GP 2.2.3.6: All municipalities will develop and implement through their official plans and other supporting documents, a strategy and policies to phase in and achieve *intensification* and the *intensification target*. This strategy and policies will

a) be based on the growth forecasts contained in Schedule 3, as allocated to lower-tier municipalities in accordance with policy 5.4.2.2

b) encourage *intensification* generally throughout the *built-up area*

c) identify *intensification areas* to support achievement of the *intensification target*

d) incorporate the *built boundary* delineated in accordance with Policy 2.2.3.5

e) recognize *urban growth centres*, *intensification corridors* and *major transit station areas* as a key focus for development to accommodate *intensification*

f) facilitate and promote intensification

g) identify the appropriate type and scale of development in *intensification areas*

h) include *density targets* for *urban growth centres* where applicable, and minimum density targets for other intensification areas consistent with the planned transit service levels, and any *transit-supportive* land-use guidelines established by the Government of Ontario

i) plan for a range and mix of housing, taking into account *affordable* housing needs

j) encourage the creation of secondary suites throughout the *built-up area*.

GP 3.2.5.1: Municipalities should generate sufficient revenue to recover the *full cost* of providing *municipal water* and *wastewater systems*.

#### Application to Project

This standard applies to the Project because it will have a financial impact on existing taxpayers.

### F.3.6 Cultural Heritage Resources

**Standard: Prior to development occurring in or near areas of archaeological potential, require assessment and mitigation in accordance with provincial requirements and the Regional archaeological management plan.**

**Test for SAEs: Physical activity in or near areas of archaeological potential without assessment and mitigation that accords with provincial requirements or the Region's archaeological management plan.**

#### Source

ROP 167(6)

Prior to *development* occurring in or near areas of archaeological potential, require assessment and mitigation activities in accordance with Provincial requirements and the Regional Archaeological Management Plan.

#### Purpose

Section 167(6) seeks to protect cultural heritage by requiring assessment and mitigation of an area of archeological potential before development that includes or abuts these areas occurs.

#### Relationship to provincial plans and policy statements

PPS 2.6.1: *Significant built heritage resources* and *significant cultural heritage landscapes* shall be conserved.

PPS 2.6.2: *Development* and *site alteration* shall not be permitted on lands containing *archaeological resources* or *areas of archaeological potential* unless *significant archaeological resources* have been conserved.

PPS 2.6.3: Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

PPS 2.6.4 Planning authorities should consider and promote archaeological management plans and cultural plans in conserving cultural heritage and archaeological resources.

PPS 2.6.5 Planning authorities shall consider the interests of Aboriginal communities in conserving cultural heritage and archaeological resources.

PPS "conserved" means the identification, protection, management and use of *built heritage resources*, *cultural heritage landscapes* and *archaeological resources* in a manner that ensures their cultural heritage value or interest is retained under the *Ontario Heritage Act*. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

GP 4.2.4.1: Municipalities will develop and implement official plan policies and other strategies in support of the following conservation objectives: e) Cultural heritage conservation, including conservation of cultural heritage and archaeological resources where feasible, as *built-up areas* are intensified.

#### Application to Project

This standard applies to the Project because it involves excavation and, therefore, could uncover an area of archeological potential or Aboriginal cultural heritage.



# Endnotes

1. Municipalities may require a site plan agreement if the land is within an area governed by site plan control: see *Planning Act*, s.41.
2. The creation of one or more new lots will require a municipal severance or subdivision approval under the *Planning Act*.
3. An official plan amendment to make the Town OP current was adopted by Town Council in 2011, but has not received legal approval.
4. In 1994, Ontario issued the first comprehensive provincial policy statement or PPS. Since 2004, the applicable test from s.3(5) of the *Planning Act* is that a decision must be “consistent with” the PPS. Initially, this meant the 2005 PPS. Since January 2014, it means the 2014 PPS.
5. In 2006, the Province amended s.3(5) of the *Planning Act* to require that planning decisions “conform with” any applicable provincial plans. This test resembles the longstanding test found in s.24 of the *Planning Act* regarding municipal by-laws: such by-laws must conform with any applicable official plan.
6. Conservation Halton is a conservation authority established at the request of municipalities under Ontario’s *Conservation Authorities Act*. This regime was established in 1946 to allow concerned municipalities within a defined watershed to work together to create and fund an authority to regulate flood plains to prevent and mitigate the effects of floods. The regime now supports conservation authorities across all of southern Ontario.
7. Key natural heritage and hydrological features described in Sections 115.3(1) and 139.3.3 of this Plan.
8. See Appendix A, Figure 15 for reproduction of this Map for the area of the Project.
9. Map 1G indicates the Key Features in the context of Urban Areas, Hamlets, Enhancements, Prime Agricultural Areas, and Greenbelt.
10. The 2014 PPS illustrates these Ecoregions in Figure 1 to that document. The entirety of Halton Region is clearly within these Ecoregions.
11. See Ministry of the Environment and Climate Change, “Guideline D-6: Compatibility Between Industrial Facilities and Sensitive Land Uses” (MOECC: July 1995) at 10–11, section 4.1.1—Potential Influence Areas for Industrial Land Uses.
12. Examples include the Region’s Transportation Master Plan and the Emergency Medical Services 10-Year Master Plan.



### Questions or comments?

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