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October 27, 2010

Ron Glenn, MCIP, RPP
Director of Planning and
Chief Planning Official
Region of Halton
Legislative and Planning Services
1151 Bronte Road
Oakville, ON L6M 3L1

Dear Mr. Glenn:

**Re: Proposed Draft Decision on Regional Official Plan Amendment No. 38
MMAH File No.: 24-OP-0027-038**

I am pleased to share with you a proposed partial draft decision, as prepared by my staff, to address the majority of policies in Regional Official Plan Amendment No. 38 (ROPA 38).

The Region of Halton adopted Official Plan Amendment No. 38 to bring the Regional OP into conformity with the *Growth Plan for the Greater Golden Horseshoe, Greenbelt Plan*, and the *Provincial Policy Statement, 2005*.

ROPA 38 was the subject of a multi-ministry review through the One Window Planning Service which examined both the draft and adopted versions of the plan. MMAH staff met and worked closely with Regional staff on numerous occasions and productively addressed many key areas of ROPA 38.

The Ministry would like to commend the Region for its notable efforts to improve the policy framework of the Regional Official Plan through the implementation of strong environmental protection policies, an appropriate development phasing strategy, meeting Growth Plan intensification and greenfield density targets, and the protection of employment lands.

The proposed partial draft decision includes several modifications to ROPA 38, along with a number of new modifications, including the addition of new policies. The proposed modifications to the OP will improve consistency with the Provincial Policy Statement and improve conformity with the Growth Plan for the Greater Golden Horseshoe.

The proposed draft decision identifies areas of the amendment that are supported and areas where modifications are recommended; the draft decision:

- supports the majority of the Urban Area and growth management policies, including the distribution of growth as set out in table 1 of ROPA 38;
- recognizes the Agricultural Rural Area and Regional Natural Heritage System policy framework (outside the Greenbelt Plan Area);

- strengthens policies to protect prime agricultural areas and ensure that agriculture as a land use is not hindered;
- supports harmonization of the OP with the policies of the Parkway Belt West Plan;
- removes specific references and mapping of Future Strategic Employment Areas, but includes alternative wording to support Regional goals in this regard;
- incorporates new definitions to strengthen the Regional policy framework.

Matters not Addressed in the Draft Decision:

At this time, MMAH is not in a position to provide draft modifications or a draft decision for a number of key areas of the OP. It is anticipated that through further discussion with regional staff the following matters can be addressed, prior to issuance of a final decision.

The Ministry continues to have concerns with the Regional approach with respect to Greenbelt Plan conformity, and has advised the Region that it must identify an appropriate approach to address these concerns. Further modifications to the Greenbelt Plan related policies and mapping are therefore anticipated.

The Ministry has also identified concerns with the Region's land budget methodology in relation to the proposed employment area land supply. As we have identified previously and consistently across the province, the Ministry does not support the use of vacancy rates and underutilization variables when determining future land needs. Further discussion between the Ministry and Region will be necessary to address these concerns. In the interim, as per discussions with Regional staff, the Ministry is proposing to withhold a decision on the designation of approximately 110 ha of new employment land (see Map 1 attached). This decision would be withheld pending the outcome of such discussions and the findings related to future transportation corridors planned for this area.

Other parts of the OP have also not been addressed through this draft partial decision, including: certain remaining agricultural policies, natural heritage policies, mineral aggregate policies, land use schedules, deferrals and referrals, and other technical matters such as EIS requirements. Accordingly, additional modifications to the amendment to address these matters are expected.

The rationale for the policy modifications and the non-decision areas is provided in the appendix to this letter.

The Draft Decision:

Proposed draft modifications are attached for your review. Please note, these modifications do not reflect any technical modifications the Region may have requested. MMAH is committed to continuing the ongoing dialogue with the Region in order to address these matters and prepare a supplementary draft decision, wherein the balance of the ROPA will be addressed.

Please contact Mark Christie at the Municipal Services Office – Central Region at (416) 585-6063 if you have any questions or require additional information.

Yours truly,


Barry Clay
Regional Director

APPENDIX

Greenbelt Plan Policy Area

The current policy framework proposed by ROPA 38 identifies the Greenbelt Plan Area, including the Greenbelt Natural Heritage System, but only provides basic policy direction to local municipalities who are to provide more detailed implementation policies and mapping, in accordance with the Greenbelt Plan. In order to ensure consistency across the Province, the Ministry has directed the Region to implement Greenbelt policies into its policy framework that will provide clear direction to local municipalities as they amend their own Official Plans to ensure Greenbelt conformity.

Furthermore, it is noted that the Regional Plan takes two approaches to conformity, (1) for lands north of the Niagara Escarpment and (2) for lands south of the Niagara Escarpment. The Ministry would like to see a policy framework wherein the Greenbelt Plan is applied consistently across the Region while still ensuring that the local context, where appropriate, is addressed. Further discussion between the Region and Ministry staff will be necessary to address this issue and to collaboratively develop policy modifications to ensure conformity with the Greenbelt Plan.

Future Strategic Employment Areas

The Region is proposing to identify Future Strategic Employment Lands (Map 1C) which are not presently within the Urban Area. Provincial Policy does not support the delineation of land for urban uses that exceed the 20-year planning horizon as noted in both in the Growth Plan and the Provincial Policy Statement.

The Ministry is proposing to delete future strategic employment areas as shown on Map 1C and has included modifications to delete and/or revise the following related policies: 51.2(2), 77.3, 139.3(2), 139.6, 139.7, and 259.2.

The Ministry has proposed a modification to Section 77(7)(f)(vii) including language directs that the Region will designate lands for employment use which are in the vicinity of strategic infrastructure or transportation facilities, when such lands are brought into the urban area pursuant to a municipal comprehensive review, to help protect these areas from potential residential development.

Mineral Resource Extraction Areas

The Region has advanced a policy approach for mineral aggregate resources which appears to be more restrictive than the policies in the Provincial Policy Statement and the Greenbelt Plan. This is contrary to provincial policy that directs municipalities to protect aggregate resources for the long term and ensure that development activities do not preclude or hinder the current or future extraction of these resources.

In addition, the Region has proposed policies which relate to matters beyond their jurisdiction, such as licensing which is regulated under the *Aggregate Resources Act*. Further discussion between the Region and Ministry staff is necessary to address these concerns.

Employment Land Needs

The Region's land budget methodology used to support the designation of additional employment land does not appear to fully comply with provincial guidelines and policy. The province does not support the use of vacancy rates or underutilization variables. It appears that these assumptions may have led to an overestimation of land needed for future employment growth in Halton Region. Further discussion is required between the Region and the province to address this issue. In the interim, the Ministry is proposing to withhold a decision on approximately 110 ha of new employment land, as shown on Map 1, in order to satisfy these concerns. The area identified for this purpose is also subject to an Environmental Assessment process to identify a future transportation connection to Highway

407 (Halton Peel Boundary Area Transportation Study).

Natural Features

The Region's proposed natural heritage system policy framework intends to protect all natural heritage features equally within the system. Fine tuning of the policies regarding the protection of the natural heritage system are required to provide sufficient clarity with respect to the protection of natural features (wetland, woodlots, etc) to meet the intent of the Provincial Policy Statement.

Mapping

Map 1E:

The Region has identified prime agricultural areas on Map 1E. The boundary of these areas should be further examined to ensure that prime agricultural areas are comprised of appropriate contiguous blocks and meet the intent of the Provincial Policy Statement.

Map 1F:

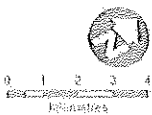
This map includes mineral resource areas that have already been extracted or do not represent viable sources of mineral aggregate. Further discussion is required between the Region and the Ministry to clarify which areas should be removed from Map 1F.

Map 3:

The Region has not identified conceptual routes for proposed provincial transportation corridors, including the GTA West and Niagara GTA corridors. Given that the formal EA processes are underway for both the GTA West and Niagara GTA corridors, the Region should recognize these on-going planning initiatives for infrastructure which may have significant impact on the transportation system in Halton Region. In this regard, the Ministry has included a modification to 173(1) of the Official Plan and identified the conceptual corridors on Map 3, as shown in the attached draft decision.

Map 3 Functional Plan of Major Transportation Facilities

This map should be viewed and interpreted in conjunction with the text of the Official Plan.



- Urban Growth Centre
- Major Transit Station
- Proposed Major Transit Station
- Airport
- Rail Line
- Major Road
- Lot and Concession Line
- Municipal Boundary
- Urban Area
- Higher Order Transit Corridor
- Commuter Rail Corridor
- Future Provincial Transportation Corridor
- Provincial Highway
- Major Arterial
- Multi-Purpose Arterial
- Minor Arterial
- Provincial Freeway
- Proposed Major Arterial

MMAH Draft Decision:
Map 3 is subject to modifications as described in the draft partial decision. Map 3 may be subject to further revisions at the time of final decision.

Note: Map 3 as presently shown, will be updated by amendment to this Plan, upon completion of the Transportation Master Plan, scheduled to be completed by the year 2001.

