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14 February 2002

Doug Corbett, MCIP, RPP
Senior Planner
Planning and Public Works Department
The Regional Municipality of Halton
1151 Bronte Road
Oakville, Ontario
L6M 3L1

Dear Mr. Corbett:

Re: North Oakville Amendment Number 198
Your File: 24 OP 0207 198
MMAH File: 24 DP 0207 02001

This is in response to your February 6, 2002 circulation of the above noted official plan amendment in the Town of Oakville.

Our understanding is that OPA 198 proposes to designate lands north of Dundas Street as the North Oakville Special Study Area and provide policies/conditions to guide the preparation of secondary plans for urban uses on these lands. The amendment flows from Amendment No. 8 to the Halton Region Official Plan.

We support the approach OPA No. 198 is taking in requiring sub-watershed plan(s) and a natural features study prior to approval of secondary plans. However, in light of the amendments' Environment and Open Space objective to establish a natural heritage/open space *system*, as supported by both provincial natural heritage training manuals and the detailed analyses and recommendations of the North Oakville Natural Heritage Inventory, it is recommended that the natural heritage system, particularly linkages, be identified on Figure F1. This will provide context and guidance to the sub-watershed plan(s), any additional natural heritage studies and, ultimately, the secondary plans.

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Correspondence copied to this Ministry from the Ministry of Natural Resources (both from Mr. Steve Varga and Mr. Phil Kor) indicate that further evaluations are required to determine the significance of the wetlands, their possible designation as a life science ANSI, and the possible designation of a portion of the Trafalgar Moraine as an earth science ANSI.

With respect to the Trafalgar Moraine, the proposed amendment should speak to its presence and hydrological functions (particularly ground water recharge and discharge) and provide a general delineation in the Natural Features schedule. If possible at this time, the schedule should also identify the general location of major recharge and discharge zones. Overall, other than the requirement for the subwatershed plan(s), the amendment is virtually silent on the presence and management of water resources.

It is recommended that OPA No. 198 include policy referencing all the above matters and requirements they be assessed and determined in conjunction with, and/or as part of, the subwatershed plan(s), and prior to consideration of secondary plans.

If you have any questions, please call Rizaldo Padilla, at (416) 585-6053.

Yours truly,



Victor Doyle, MCIP, RPP
Manager, Community Planning
Municipal Services Office - Central Region

cc. S. Varga, MNR
P. Kor, MNR
L. Gough, Town of Oakville

SUBCOMMITTEE REPORT

Report To: EEAC

Date: February 13, 2002

Subject: North Oakville Official Plan Amendment Number 198

Background to the Background

In the spring of 2000, EEAC provided comments on proposed landuse changes in North Oakville (between Dundas and Hwy 407). The Town of Oakville is now proposing an official plan amendment to incorporate these lands into the urban envelope. EEAC is now commenting on that plan amendment (known as OPA 198). For background information EEAC is referred to a subcommittee report prepared in April 2000 (approved report can be found in the May 10, 2000 EEAC agenda). Comments provided to the Town by the Region can be found in the June 14, 2000 EEAC agenda. The report that follows takes some material directly from that report (some of which is word-for-word, and some modified), as most of the comments are still considered valid in the current context.

Background

One of the strategies resulting from the Halton Urban Structure Review and subsequent official plan amendments was the designation of significant areas of north Oakville as urban, along with a small area of northeast Burlington. The subject lands include the area north of Dundas to the Hwy 407 corridor, from Ninth Line (Peel boundary) west to Bronte Creek. The Town of Oakville has worked together with Hemson Consulting (and various associates) on a Strategic Land Use Options Study for North Oakville. This study follows on work completed by LGL reported in the North Oakville Natural Heritage Inventory and Analysis. Since 2000, the Town has worked on the project through a proposed OPA 198 (which has not yet yet been considered by council), through public consultation programs such as council meetings and round table discussions, and subsequently produced the final proposal, now open for comment.

Comments

As previously commented by EEAC, the employment and residential targets should be reviewed as part of the planning process, to ensure that the HUSP numbers are still considered reasonable given the extent of natural features that are targeted for protection (LGL Category 1-5 lands), as well as designated ANSI clarifications. We do not know if the numbers are still reasonable, but it is known that the numbers were determined prior to the assessment of the natural features in the area. We have included our April 2000 comment related to this issue below:

Although the process was initiated appropriately by collecting environmental information first, to establish constraints and opportunities, the process had fundamental flaws thereafter by failing to consider that information in determining the "quantity" of development to take place within the area. Although the municipality cannot make these decisions in isolation, as development "quantity" was established by the Regional Urban Structure Plan, it should not fail to use the information collected by LGL to its potential. Although the LGL information is used to determine where and where not to develop, and assisting with development boundaries, separators and buffers, the LGL study should be used to determine how much development the area can sustain. It should not be simply used the way

it is in this process i.e., just determining where to and not to develop. When HUSP determined the development "quantities" for this area, they did not have the benefit of the natural heritage information, nor did they have the stated objective of protection of Category 1-4 lands (Feb 2002 authors note: this is now 1-5 lands). Now that we have this information and the protection objectives, the land use needs to reflect these facts. That being said, fitting the maximum development into the smallest possible area, while conserving the maximum amount of natural heritage features is an environmentally positive development strategy. The "quantity" numbers should not be used as justification for relaxing the objective of protection for Category 1-4 lands (Feb 2002 authors note as above).

One of the potentially significant impacts of development in North Oakville is the possible construction of a Burnhamthorpe bridge across 16-Mile Creek. This issue was raised by EEAC in 2000, and was a significant concern of the general public during the public consultation process. The proposed OPA 198 and associated background information refers to the future EA process for determination of the need for a Burnhamthorpe bridge, including the evaluation of the "do nothing" option. Unfortunately the EA process is not a planning tool, it is essentially a "problem solving" tool. If an EA is completed, it is because there is a problem, and the "do nothing" is virtually never the preferred option. The current planning exercise should work towards a broad community design which reduces or eliminates the need for this bridge. Planning the layout of the community now without this consideration, eliminates the options in the future. In the future, building the bridge will be a "problem solver", whereas planning the community now in such a way to eliminate the need for the bridge will eliminate it from ever being a problem.

Although landuse patterns are still to be determined through the secondary plan process, OPA198 does outline some general landuse concepts. In order to keep the options more open, pending further study at that stage, we suggest that item 26, 4.1 e) should be amended such that each district is identified as "residential community and/or employment district", in order that landuse is not "locked-in" at this stage.

The documentation provided to EEAC included consultants studies on the hydrogeology of the Trafalgar Moraine (Morrison Environmental) as well as a delineation of the location of the Trafalgar Moraine (Parish Geomorphic). The Trafalgar Moraine is currently designated by MNR as an earth science ANSI, but is not designated by Halton Region as an ESA. Although it has ANSI designation, the MNR has not provided any delineation or mapping of the feature. The Town has requested this information from MNR. As part of the Regional plan review currently being undertaken, Halton Region (through an EEAC subcommittee and an outside environmental consultant - North South Environmental) is reviewing the current ESAs in the Region. As part of this review, North South is examining the Trafalgar Moraine for possible designation as an ESA. If it is determined that it fulfills the criteria, an area will be mapped for inclusion in the updated ESA designations. The modified ESA boundaries and potential new (and/or removed) ESAs will be included within the new Official Plan for Halton Region. Once the Region has finalized the mapping for the new OP, landuse designations in North Oakville should then respect any new or modified ESA boundaries. Although the two studies completed by the Town do provide information on this feature, any comments by EEAC on suitability of boundaries and potential impacts on the feature will wait until the Regional information is collected and reviewed by EEAC.

The Town has initiated the process of retaining a consultant to compile an environmental strategic plan and the Town has indicated that it will be hiring a staff environmental coordinator. EEAC commends the Town for taking these initiatives, as they should be valuable contributions to the process. As the process continues to flow to the next stages, it would be advisable for the Town to have a "vision". This vision could be developed through the environmental strategic plan in an effort to develop a concept of what the Town would like the landscape to ultimately look like. This should be done with continued public consultation.

Recommendations

Based on our review in the Spring of 2000 and the current information, we have formulated the following recommendations:

1. With respect to Item 26 4.1 e) proposed communities/districts, districts should be identified as "residential and/or employment", in order that the currently worded designations are not "locked-in".
2. The feasibility of accommodating the stated residential and employment land objectives should be reevaluated, given the information collected during the LGL study and the stated objectives of preservation of Category 1 - 5 lands.
3. Landuse should be planned for a community that will not require the expensive and potentially environmentally destructive Burnhamthorpe bridge.
4. The Town should work towards the objective of developing a community which minimizes urban sprawl while creating an urban environment that reduces the reliance on the automobile and creates opportunities for linkages with the existing Oakville community.
5. With respect to the Trafalgar Moraine, no secondary plans should be completed until Halton has completed the OP review and associated ESA studies, and until the MNR ANSI designation has been clarified.
- * 6. Prior to the first secondary plans being prepared, there needs to be a guiding conceptual study with respect to location of natural heritage and open space components and transportation components.
7. Though EEAC has not provided any specific wording changes to the text of OPA 198 (other than recommendation 1), we recommend that Regional staff take these comments and incorporate them with their other comments and suggest specific wording changes.
- * 8. EEAC should continue to be involved in the process of reviewing the natural heritage studies, wetlands and woodlands respecting the Trafalgar Moraine and the natural heritage/open space system studies, transportation studies, subwatershed studies and secondary plans for the areas.

Respectfully submitted

**Jennifer Dockstator
Christopher Morgan
Rick Cockfield
Randall Goodwin (Chair)**

Adopted by EEAC as amended (*) February 13, 2002

2.2.3.5 Progressive rehabilitation to accommodate subsequent land uses will be required.

2.2.3.6 In *prime agricultural areas*, on *prime agricultural land*, extraction of *mineral aggregates* is permitted as an interim use provided that rehabilitation of the site will be carried out whereby substantially the same areas and same average soil quality for agriculture are restored.

On these *prime agricultural lands*, complete agricultural rehabilitation is not required if:

- a) there is a substantial quantity of *mineral aggregates* below the water table warranting extraction; or
- b) the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible; and
- c) other alternatives have been considered by the applicant and found unsuitable; and
- d) agricultural rehabilitation in remaining areas will be maximized.

2.3 Natural Heritage

2.3.1 *Natural heritage features and areas* will be protected from incompatible development.

- a) *Development and site alteration* will not be permitted in:
 - *significant wetlands* south and east of the Canadian Shield;² and
 - *significant portions of the habitat of endangered and threatened species.*
- b) *Development and site alteration* may be permitted in:
 - *fish habitat;*
 - *significant wetlands* in the Canadian Shield;
 - *significant woodlands* south and east of the Canadian Shield;
 - *significant valleylands* south and east of the Canadian Shield;²
 - *significant wildlife habitat;* and
 - *significant areas of natural and scientific interest*

if it has been demonstrated that there will be no *negative impacts* on the natural features or the *ecological functions* for which the area is identified.

2.3.2 *Development and site alteration* may be permitted on *adjacent lands* to a) and b) if it has been demonstrated that there will be no *negative impacts* on the natural features or on the *ecological functions* for which the area is identified.

* 2.3.3 The diversity of natural features in an area, and the natural connections between them should be maintained, and improved where possible. //

2.3.4 Nothing in policy 2.3 is intended to limit the ability of *agricultural uses* to continue.

¹ Other alternatives include resources in areas of classes 4 to 7 agricultural lands, resources on lands committed to future urban uses, and resources on prime agricultural lands where rehabilitation to agriculture is possible.

² Areas south and east of the Canadian Shield are shown on Figure 1