

## CONSERVATION HALTON

EC-02-03

**REPORT TO:** Executive Committee  
**FROM:** Brenda Axon, Manager Watershed Planning Services  
**DATE:** January 22, 2003  
**RE:** **Halton Region 2002 Official Plan Review  
Directions Report, The Greening of Halton –Smart Growth, Smart Choices  
August 2002**

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### **Recommendation**

THAT the Executive Committee recommend to Conservation Halton that the staff report, dated January 22, 2003, reviewing the "Directions Report, The Greening of Halton – Smart Growth, Smart Choices" and associated Technical Background Papers (#6, #7, #8, #9, #10, #11, #12 and the Land Use Analysis – Ninth Line/Highway 407 Corridor) which form part of the Region of Halton 2002 Official Plan Review process, be endorsed;

AND FURTHER THAT the Region of Halton be requested to recognize Allan Elgar and Gordon Krantz as representatives of Conservation Halton on the Official Plan Review Steering Committee;

AND FURTHER THAT the report be circulated to the Region of Halton, the Grand River Conservation Authority and Credit Valley Conservation.

### **Policies, Procedures and Processing Pertaining to this Report**

Conservation Halton Strategic Plan, Conservation Authorities Act, Memorandum of Understanding for Plan Input and Review Process, Integrated Halton Area Planning System.

### **Background**

The Region of Halton has embarked upon a five-year review of its Official Plan and has produced a Directions Report entitled, "The Greening of Halton – Smart Growth, Smart Choices" and twelve supporting Technical Background Papers. These have been issued for public and agency consultation. The reports, as of yet, do not form policies, however, are meant to provide guidance in the formation of new policies and confirmation of existing policies. The Technical Background Papers provide supporting information and rationale for specific topic areas. Related to Greenlands these include: a rationale for the designation and inclusion of significant woodlands within the new official plan as part of the Greenlands System; an update of Environmentally Sensitive Areas which identifies new ESAs and refines existing ESA boundaries; an update of significant wetlands and Areas of Natural and Scientific Interest based on new information provided by MNR; and a methodology for mapping water quality of watercourses.

Halton's current Official Plan was approved by the Province in 1995. Its main themes were to create a sense of landform permanence and promote land stewardship. In this Official Plan, the Region is divided into three different systems, Greenlands, Urban and Rural. The intent of the Directions Report and the

Official Plan Review is to build on the strengths of the existing plan and to refine policies in the following areas:

- Delivering smart growth within the urban boundary
- Achieving affordable housing
- Supporting and promoting agriculture
- Enhancing Greenlands
- Improving environmental quality, and
- Improving mobility through public transit.

The Region has requested comments on the Official Plan Review documents by the end of January 2003. A statutory public meeting and Regional Council decision on the Directions Report are planned for May 2003.

### **Discussion Regarding the Directions Report, The Greening of Halton – Smart Growth, Smart Choices**

The Directions Report serves the following purposes:

- Provides background on the Region's Official Plan and the plan review process
- Highlights current planning-related issues in Halton
- Stimulates public discussion on how to achieve that vision
- Offers solutions or options to address problem areas and move towards the planning vision
- Outlines how these solutions or options can be implemented through policies in the Official Plan, and
- Invites comments from the public, government agencies, development industry and other interested parties, prior to Council making a decision on changes to the Official Plan.

Conservation Halton staff have reviewed the Directions Report and find that it contains many positive suggestions for incorporation into the Official Plan amendment.

**Setting Firm Urban Boundaries:** The report recognizes the importance of setting firm urban boundaries. Amendment 8 to the current Official Plan defined urban envelopes in Milton, Halton Hills, Oakville and Burlington, which would be sufficient to accommodate urban growth until 2016. These were formed on the basis of the Halton Urban Structure Plan and the Sixteen Mile Creek Watershed Study. The Directions Report recommends that this planning horizon be expanded to 2021 based on a supply analysis, which concluded that the current urban envelopes have sufficient capacity to meet 2021 targets for population and employment. It further recommends that any proposed adjustments to urban boundaries be deferred until the next five-year review of the Official Plan. This suggested direction is supported by Conservation Halton since it is in keeping with our position on Smart Growth which recognizes the need to identify existing urban areas; encourage downtown and brownfield redevelopment; and promote compact urban design. By setting firm urban boundaries it will ensure efficient and balanced land use and reduce the pressure for urban sprawl.

**Delivering Smart Growth:** The Directions Report examines how Smart Growth can be delivered at the Regional Planning level. A *Smart Growth Index* is proposed to measure development plans or planning applications, such as secondary plans, plans of subdivision and re-zoning applications, against the principles or objectives of Smart Growth. Each planning application will be assessed against the following indicators:

- Density of development
- Mix in land use

- Facilities within walking distance and ease of walking through the neighbourhood
- Availability of affordable housing
- Amount of green space
- Access to major facilities or services – health, social, recreation, shopping, etc.
- Access to public transit
- Proximity of existing urban service (water and wastewater) infrastructure
- Design of the development in meeting objectives of environmental protection, heritage feature preservation, and barrier-free design, and
- Degree of public involvement in the development process.

The concept of a *Smart Growth Index* has merit, however as proposed, it has a disproportionate emphasis on development and its design, rather than natural heritage protection. Only two categories score for environmental components (amount of green space and design of development in meeting objectives of environmental protection). The second category is shared with heritage feature protection and barrier-free design and therefore, the assessment of environmental protection is diminished. The SGI is initially proposed as a tool for measuring Smart Growth and not as a regulatory tool. It is recommended that it be assessed after the first year to determine whether it could be used in a more significant way to ensure Smart Growth is achieved.

To ensure that approved development densities are maintained to achieve Smart Growth, the Directions Report also recommends that any proposed changes to site specific land uses in an approved secondary plan must maintain or exceed the overall development density of the plan; otherwise, a review and an amendment of the entire secondary plan would be required. This is a positive direction, which will ensure that the existing capacity for urban growth is not expended sooner than the projected date of 2021. If not, it will result in further pressure to expand the existing urban boundaries.

**Golf Courses:** The Region of Halton had previously proposed an amendment (Amendment No. 15) to the Official Plan where new golf courses would be directed to lands above the Niagara Escarpment with a proposal to designate agricultural lands below the escarpment as Prime Agricultural Area. However, Council decided not to adopt the amendment because of objections from the farming community and others. The Directions report recommends that golf courses now be considered both above and below the Niagara Escarpment, subject to stringent environmental criteria, as set out in the original proposed amendment. Conservation Halton is supportive of this recommendation to address future golf course applications. Further, Conservation Halton, through its watershed studies and liaison with the various golf courses owners, has been encouraging the golf courses to enroll in the Audubon Cooperative Sanctuary Program, which entails naturalization, water conservation and pesticide and fertilizer management. Conservation Halton would recommend that new golf courses be required to be certified under one of the programs which promotes environmental best management practices, such as the Audubon Co-operative Sanctuary, Audubon Signature Series, Greenlinks Eco-Efficiency Rating or another equivalent program.

**Significant Woodlands:** The Directions Report proposes the addition of Significant Woodlands to the Greenlands B designation in the regional Official Plan to be in conformity with the Provincial Policy Statement. Technical Background Paper #6 was undertaken to develop a framework for designating significant woodlands. The study recommended the following criteria be used as the basis for designation:

- Erosion control (i.e. woodlands on slopes greater than 10%)
- Protection of groundwater quality and quantity (i.e. woodlands in headwater areas with drainage to first-order streams)
- Protection of surface water quality and quantity (i.e. woodlands within 30m of a watercourse)
- Age (100 years or older)



- Size (minimum 2ha in the urban area, 4ha in the rural area below the Escarpment Brow, and 10ha in the rural area above the Escarpment Brow)
- Interior core area size (minimum 4ha when measured 200m from the perimeter), and
- Connectivity with other natural heritage features

Conservation Halton staff support the inclusion of significant woodlands in the Greenlands System as per the Provincial Policy Statement and concur with the recommended criteria for determining significance. Since the Provincial Policy Statement was issued in July 1997, the lack of significant woodlands has been recognized as a gap in the existing Official Plan. Where development is proposed in or adjacent to Significant Woodland, an Environmental Impact Assessment would be required to show that the feature was not being impacted by the proposal.

The agricultural community has raised concerns with respect to the significant woodlands proposal, particularly for those woodlands proposed for designation in the rural area. As a result, the Region has put forward, for discussion purposes, an alternative approach to designating Significant Woodlands in Halton. The new proposal would designate significant woodlands only in the urban area and include improvements to the Regional Tree Cutting By-law. It would also set a target of 30% woodland coverage, provide resources to promote stewardship, tree planting and reforestation, and require EIAs be completed for OPA and zoning by-law amendments for woodlands and their adjacent lands.

Conservation Halton staff support the original proposal as set out in the Directions Report and Technical Background Paper #6 as the preferred approach for protecting significant woodlands in Halton. In addition, staff concur with the Regional Tree By-law being updated to ensure forest management is carried out in accordance with good forestry practices, promoting stewardship, and setting an overall target of a minimum of 30% woodland coverage within Halton. This target reflects the habitat targets set by Environment Canada and those used within the Bronte Creek and Grindstone Creek Watershed Studies.

**Environmentally Sensitive Areas Update:** The Directions Report proposes additions and deletions to the ESAs identified in the Regional Official Plan based on an ESA Update Study (Technical Background Paper #7). The ESA Study Update examined and refined the existing ESA designation criteria, reviewed and updated the ESA database, re-examined potential ESAs for possible inclusion, examined all ESAs with current MNR wetland and Area of Natural and Scientific Interest mapping; re-examined two ESAs recommended for deletion, and provided an update of significant species occurring at each ESA.

Conservation Halton concurs with the suggested revisions/refinements to the ESA criteria. The suggested changes are minor in nature and do not change the substance of the criteria but rather update them based on the current understanding of natural area protection. Conservation Halton supports the recommended ESA additions, including Burlington Beach, the woods adjacent to Halton Sludge Plant, Galt and Moffat Moraines, Paris Moraine, Trafalgar Moraine, Joshua's Creek Pop-Up, Stewartown Woods, Drumquin Woods and the Brookville Drumlin Field.

Staff would recommend the following areas be considered for additions to existing ESAs or as new ESAs. Several of the ESAs are contiguous with Hamilton ESAs and their boundaries should correspond. Significant areas do not arbitrarily end at political boundaries. This should be reflected in the update.

Hilton Falls ESA #25: Consideration should be given to including the contiguous wooded areas to the north and east along 4<sup>th</sup> Line, contiguous wooded area extending north of 15 Side Road between Town Line and Sixth Line.

Aldershot Bar/ Holy Sepulchre: This is a unique Earth Science feature in Halton. The federally/provincially endangered hoary mountain mint and other flora with prairie savannah affinities (regionally rare – big bluestem, little bluestem, azure aster, sharp-leaved goldenrod, butterfly-weed, northern dewberry) are found along the bluffs along Burlington Bay. The mixed oak forest communities along the slope are provincially rare to uncommon and are contiguous with identified ESA communities in Hamilton to the west.

Milton Heights ESA #17: Conservation Halton has recommended expanding the ESA boundaries as part of the Kelso Master Plan. The extension would include contiguous forest cover and headwater wetlands associated with Limestone Creek. Several regionally rare plant species not found in the existing ESA are found within the proposed extension.

Guelph Junction Woods ESA #20: Consideration should be given to extending ESA # 20's boundaries to the south and west to incorporate contiguous forested blocks that connect with the Carlisle North Wetlands and Mountsberg East Wetlands ESA (Hamilton). A portion of the Mountsberg East Wetlands ESA mapping extends into Halton. This area includes forest blocks with interior forest habitat and portions of the provincially significant Lower Mountsberg Creek wetland complex.

Burns Conservation Area/Shanahan Tract: In previous correspondence, Conservation Halton staff had requested that the Region consider this large area (at least 200 ha) as a candidate ESA. This area supports interior forest habitat and consists of a mosaic of natural and plantation forest types. Portions of the provincially significant Guelph Junction wetland complex are encompassed within this area.

Mountsberg Wildlife Area: In previous correspondence, Conservation Halton staff had requested that the Region consider this as a candidate ESA. This area is contiguous with the Hamilton ESA to the west. The Hamilton mapping shows the ESA as extending into Halton. This area supports interior forest habitat and consists of a mosaic of natural and plantation forest types. Portions of the provincially significant Guelph Junction wetlands complex are encompassed within this area.

Nelson Escarpment Woods ESA # 6: Conservation Halton staff recommend that the ESA be extended to include the linear forest extending eastward from Nelson Escarpment Woods (ESA # 6) towards the Bronte Creek Valley (ESA #10), to the south of No. 1 Side Road. This is an important linkage connecting the Bronte Creek with the Niagara Escarpment.

LaSalle Park: Conservation Halton staff have been conducting ELC for the North Shore Watershed Study, which includes the lands around LaSalle Park. Based on the findings of our preliminary investigations further consideration should be given to including the forests surrounding LaSalle Park as an ESA. The forests to the north of Northshore Boulevard supports a number of trees that appear to predate European colonization including a stand of oak-pine forest that once may have been a dominant feature along the lakeshore which has now been virtually extirpated from the region. Numerous areas of groundwater discharge are found along the tributary ravines.

With respect to the two ESAs recommended for deletion, Wildflower Woods and Joshua's Creek Valley, it is recommended that prior to the deletion of any ESA that a delisting procedure be developed. It is recommended that these two ESAs be examined as part of the Halton Natural Areas Inventory to determine whether they continue to fulfill the ESA criteria. The pressure placed on these areas from adjacent urban development has impacted them, therefore, as part of the EIA process, an assessment of a proposal in or adjacent to an ESA, should be required to examine its effect on the sustainability of the ESA.

**Adjacent Lands:** The Directions Report recommends adopting the criteria used in the Provincial Policy Statement for defining adjacent lands where development or site alteration will not be permitted unless it can be proven that there will be no impact on the features or functions for which the area has been identified. Conservation Halton strongly supports the inclusion of a requirement for the preparation of an EIA for any development or site alteration partially or wholly within the Greenlands System or Adjacent Lands. This will better reflect the policies of the Provincial Policy Statement, which has been lacking in the current Official Plan. Conservation Halton has an Agreement with the Region to provide the provincial plan review related to development in or adjacent to natural heritage features as identified in the Provincial Policy Statement. Conservation Halton supports the inclusion of a prescribed distance (120m for Provincially Significant Wetlands and 50m for all other Greenlands) for defining adjacent lands, since it is in conformity with the Provincial Policy Statement. It should be noted that in the Update of Significant Wetlands in the Region of Halton (Technical Background Paper #8), Map 1 should be updated to include wetlands evaluated as part of Milton's Phases 1 and 2 (in progress) Urban Expansion Subwatershed Studies.

**Environmental Stewardship:** The Directions report proposes a program of environmental stewardship with sustained and dedicated resources. It proposes to hire an Environmental Steward who, among other things, would be responsible for promoting and pursuing the transfer or management of natural heritage lands to a public agency through bequests, easements, covenants agreements, or donations. Conservation Halton strongly supports environmental stewardship particularly through the efforts of private landowners and land securement of sensitive natural areas.

Since 1994, Conservation Halton has had a joint stewardship program with Hamilton Conservation Authority known as the 'Hamilton-Halton Watershed Stewardship Program'. The program has undertaken landowner contact primarily in the Grindstone Creek and Bronte Creek watersheds. With additional resources, we plan to expand the program to encompass the whole of our watershed. The project has provided funding sources and organized volunteers for a number of restoration projects and stewardship initiatives on private lands. Landowners have also been encouraged to enter into stewardship agreements, which recognize their commitment to the stewardship of the natural features on their property. Education is also an important component of the program. Conservation Halton has had significant experience with implementing a stewardship program. It is recommended that a coordinated approach be taken between the two agencies to enhance and expand the stewardship initiatives and that Conservation Halton be recognized as the coordinating lead agency in stewardship initiatives.

Conservation Halton also pursues securement of lands through acquisition (where funding is available), bequests and donations. Conservation Halton would be pleased to work with the Region to further advance acquisition of sensitive and significant lands to ensure their long-term protection.

**Regional Waterfront Parks:** The Directions Report proposes to reduce the number of Regional Waterfront Parks designated in the Greenlands System of the Official Plan from ten to three (Burlington Beach, Bronte Harbour, and Burloak Park). The report identifies that the Region will be the owner of these parks and the municipality and/or Conservation Halton will manage them through partnership agreements with the Region. It should be noted that Conservation Halton currently owns the lands associated with Burlington Beach and the park is maintained and operated through an agreement with the City of Burlington. The Region proposes funding new regional scale capital facilities within the parks through partnership funding and the proposed Halton Green Fund.

**Air Quality:** Conservation Halton is supportive of the projects identified in the background paper and in some cases the Conservation Authority could take lead role as the delivery agency. The prime example is tree planting as it relates to carbon sequestration.



**Water Resources:** The Directions Report identifies the Region to take a lead role, in cooperation with the Conservation Authorities and Ministry of the Environment, in completing source protection plans as identified in the Walkerton report. The three agencies share an interest in the development of these plans. The Region has a strong knowledge of Halton's groundwater resources and modeling. Conservation Halton has strong expertise in surface water modeling, flows, water quality, and is currently implementing the provincial groundwater monitoring network with 9 wells (potentially 5 more in the future) being monitored for water levels and quality. We recommend that further discussion occurs to develop the best approach to be followed between the agencies.

Conservation Halton is of the opinion that implementing source protection plans on a watershed basis is a more logical approach to planning for our water resources even though groundwater does not necessarily follow surface water boundaries. However, its interrelationship with surface waters makes it much more closely aligned with watershed divides than the Regional boundaries. There is merit in the Conservation Authorities taking the lead role in source protection plans in close consultation with the Region of Halton. Ultimately, these plans will be used by the municipalities, both regional and local, to incorporate policies in their Official Plans to ensure protection of drinking water and the health of our watercourses. Conservation Halton is of the opinion that the plans should be broader than only protecting Municipal Wellheads but rather protecting all water resources. It is recommended that a water budget be undertaken which examines the interrelationships between surface and groundwater. This is important for the development of source protection plans but also will be integral in assessing future water takings, planning and implementing the Low Water Response Program and implementing watershed plans.

The Region proposes to use BioMAP as a technique to monitor the overall health of watercourses in Halton using benthic invertebrate data and satellite imagery. Conservation Halton supports the use of benthic inventories as one of a number of tools for assessing the relative health of watercourses as part of a watershed study. We also strongly support the protection and restoration of riparian buffers and natural areas adjacent to watercourses. However, staff have serious reservations regarding the utility of the BioMAP model. The model fails to account for a number of anthropogenic (human) impacts to water quality observed within the watershed. Its definition of water quality is misleading to the public since it is not truly quality but rather based on the watercourse's ability to provide the full range of resources and services expected by the public (eg. water for municipal, agricultural and industrial uses, recreational opportunities, waste assimilation). Therefore, it should not be considered a valid replacement for other watershed planning studies and environmental monitoring programs.

**Land Securement Program:** The Directions Report recommends that a Land Securement Program be initiated to secure the ownership and permanent management of lands that will contribute to the overall environmental quality in Halton, potentially including:

- Critical areas in the Greenlands System which are in danger of losing its ecological functions or features unless placed under public ownership or management
- Significantly disturbed areas that can only be rehabilitated properly under public ownership or management
- Areas that will significantly enhance the ecological functioning in parts of the Greenlands System
- Essential linkages to provide a system of connected open space accessible by the public, including the concept for a Regional Trail System, and
- Other areas of a strategic nature that will enhance Halton's overall environmental quality.

The report recommends that a Land Securement Strategy be prepared to detail the approach in identifying potential sites, acquisition priorities, partnership strategy, and funding implications. The report also suggests the development of a Regional Trail System with the securement of lands forming the

foundation for the trail network and the municipalities, Conservation Authorities and other government or non-government agencies responsible for the actual development of the Trail System.

Conservation Halton has an ongoing acquisition program to secure sensitive lands. A coordinated approach to the Land Securement Program could be developed through the joint Greenlands Strategy being undertaken by the Region and Conservation Halton.

**Halton Green Fund:** The Directions Report proposes to establish a Halton Green Fund with the purpose of supporting the Land Securement Program, funding (wholly or partially) Green Projects and financing Regional Waterfront Parks development. An annual allocation of \$500,000 is suggested, however, this would be an additional expenditure, which is currently not in the Region's annual budget. Conservation Halton supports a funding program to assist with environmentally sensitive land acquisition and waterfront park development.

**Public Transit:** Conservation Halton supports the arguments put forward in support of public transit (cost, safety, energy conservation, air quality, environmental protection, social equity, Smart Growth) and the recommendations to adopt a Transit Vision and a Transit First Policy.

**Update of the Regulated Flood Plain Mapping in the Halton Region:** The Region has improved the presentation of the flood plain mapping, as compared to the current Official Plan, as part of the preparation of the Technical Report. It should be noted that the detailed flood plain mapping is available from the Conservation Authorities and that proponents should consult with CA's for the specific flood plain limits on any parcel.

Paragraph 3 of Section 3 states that "Halton Region is within Zone 1 of the Flood Hazard Criteria Zones of Ontario and Conservation Authorities". Clarification of this statement is necessary. It is recommended that a reference to the "Understanding Natural Hazards" document, 2001 -page 20 be included.

It is recommended that that all creeks be shown as part of the Greenlands A designation. During a Regional Storm these watercourse features would be in flood and would be considered part of the hazard lands. Conservation Halton has recently updated the creek layer as part of our GIS program. The revised information can be provided to the Region for incorporation into the Official Plan Amendment.

**Other Comments/Housekeeping:**

- The Greenlands policies should provide protection for the habitat of threatened/endangered species, significant valleylands, and fish habitat as per the Provincial Policy Statement.
- Policy D4d3 should include a reference to Conservation Authority requirements with respect to setbacks and agricultural buildings.
- The Provincial Policy Statement recognizes that development includes lot creation, therefore, a policy requiring setbacks from Greenlands features (both Greenlands A and B) to lot lines for new development should be included as part of the update to the Official Plan. Structural setbacks alone are insufficient for the protection and management of these features.
- Policy D4d4 should be revised to "require" municipalities to adopt the one-zone concept for flood plain planning.
- Policy D4d6(a) should be clarified to indicate that the Region will encourage municipalities to acquire public open space on tableland adjacent to watercourses within the urban areas to provide a continuous connection along the watercourses to the waterfront. Where appropriate, this could also be expanded to the rural area, including wetlands. Additional wording should be included to



identify the importance of these lands being in public ownership from a natural environment/linkage/erosion access perspective.

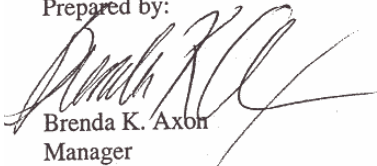
### Representation on Steering Committee

A Steering Committee has been established for the purpose of overseeing the review process of the Official Plan update and Directions Report. The Steering Committee has been in place since the start of the process. Unfortunately, Conservation Halton was not asked for representation on the Committee. The Region's belief was that the real contribution that would be made by Conservation Halton would come through the technical meetings. The programs of Conservation Halton are closely integrated with those of the Region and as noted in this report complement the Region's directions and strategies. Staff feel it is important that there be representation on the Steering Committee by Conservation Halton given the relationship between the two organizations. Alan Elgar and Gord Krantz currently sit on the Steering Committee representing their respective municipalities. It is recommended that both members also represent the interests of Conservation Halton on the Committee.

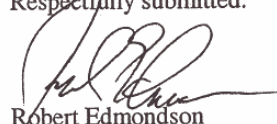
### Summary

Conservation Halton supports the direction of the official plan review. Considerable discussion is required when examining and determining the lead agency for the components, which surround stewardship, land acquisition and source protection plans. Conservation Halton supports a watershed based approach to any and all environmental protection. We strongly recommend that woodlands protection be re-instated as portrayed in the original document and additional ESA's be included. Conservation Halton also strongly supports the agencies working together in the development of a greenlands strategy, with Conservation Halton's emphasis on an Integrated Watershed Greenlands (Natural Areas Protection) Strategy.

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