



9100 Jane Street, Suite 208
Vaughan, Ontario L4K 0A4
Telephone: 905-532-9651
www.meridian-vaughan.ca

MEMORANDUM

To: John Linhardt – Commissioner of Planning and Sustainability
From: Nick McDonald
Date: January 24, 2020
Re: OPA 32 - Review of Regional Modifications

.....

I am writing as requested to provide my land use planning opinion on modifications to OPA 32 by the Region of Halton. In this regard 96 modifications have been proposed with most of the modifications being minor in nature.

In a letter from the Region dated December 20, 2019, 2019, the following is stated: *"With the proposed modifications to OPA 32 described above, and identified in Appendix #1, and pending receipt of an acceptable addendum to the Subwatershed Study, Regional staff is of the opinion that OPA 32 conforms to the Regional Official Plan, is consistent with the Provincial Policy Statement 2014, and conforms to the applicable Provincial Plans and policies."*

As the primary author of OPA 32 and the Project Manager for the Vision Georgetown project, I am very pleased that the Region is supportive of the extensive work completed in support of OPA 32, subject to the making of a number of modifications to OPA 32 and the Regional acceptance of an addendum to the Subwatershed study.

With respect to the proposed Regional modifications, below is my review of the modifications as they appear in Schedule A to the Region's letter dated December 20, 2019 along with my land use planning opinion.

Preamble - building blocks

The one modification (**Modification 1**) to this component of OPA 32 indicates that as part of the background leading to the approval of OPA 32, a second addendum to the Subwatershed Study that deals with outstanding issues is to be completed. While the Preamble is not part of OPA 32, the modification provides some additional background and is supported.

H6.2 - Guiding Principles

Modifications 2 and 3 are minor in nature and are intended to support a key element of OPA 32, which is to provide for a wide range of uses in a manner that supports all modes of transportation. These modifications are supported.

H6.4 - Community Structure

Modifications 4, 5 and 6 are editorial in nature and more appropriately characterize the natural heritage system and clarify the proper classification of the different roads that make up the road system in and adjacent to the OPA 32 lands and are therefore supported.

H6.5 - Amount of Planned Growth

The one modification to this section (**Modification 7**) changes the name of the 'Stormwater Conveyance Corridor located on the east side of Trafalgar Road to 'Future Natural Channel Corridor.' This change in wording reflects the Region's view that the area of land set aside for drainage should be naturalized to the extent possible and is in keeping with Modification 43, which indicates that the lands within the corridor will be included within the natural heritage system in the future without an amendment to the OP required. This modification provides further clarity on how these lands are to be dealt with in the future from a planning perspective and are supported.

H6.6 - Implications of Planned Density on Built Form

The two modifications to this section (**Modifications 8 and 9**) are minor in nature with Modification 8 making it clear that on-street parking and lay-by lanes would not be planned for the Regional Roads. These modifications are also supported.

H6.7 - Sustainable Development

There are 14 modifications proposed to this section of OPA 32. **Modification 10** is intended to ensure that the goal of natural heritage system protection in the Vision Georgetown secondary plan is clearly understood up front. This modification also indicates that future growth should not only preserve the natural heritage system but enhance the system as well. This modification is in keeping with the objectives of the Town that were set out early in the planning process and is therefore supported.

Modification 11 deals with streets and roads and their relationship to the natural heritage system and is intended to apply specifically to circumstances where streets and roads cross the natural heritage system. This modification is supported. **Modification 12** also deals with streets and roads and it indicates that streets and roads that have not been identified on the schedules should be planned to ensure that there are no negative impacts on the natural heritage system features and functions. This modification reflects Regional policy and is supported.

Modifications 13 and 14 involve the renumbering of individual sections.

Modification 15 indicates that pedestrian and multi-use trails providing access to and through natural heritage system, where appropriate, would be permitted. This modification essentially requires that trails through the natural system be avoided, unless they are needed to help encourage active transportation as a viable means of both recreation and transportation. In this regard, a number of trails crossing the natural heritage system are shown conceptually on Schedule H6-3 as modified by the Region and in my opinion, these are key elements of the overall active transportation system that helps underpin the planning of Vision Georgetown. While the modification suggests that trails through the natural heritage system be avoided, they are still permitted and for this reason, this modification is supported.

Modifications 16, 17, 18 and 19 are editorial in nature and/or involve renumbering and are supported.

Modification 20 indicates that linkages may also provide the ability for wildlife passage and this is also supported.

Modification 21 involves the addition of language that indicates that the stormwater management facilities shown on the secondary plan schedules represent their general location and their final location will be determined through the development process. This modification is supportable as it provides additional clarity on how the stormwater management facilities identified on the schedule should be viewed.

Modification 22 is editorial in nature and **Modification 23** proposes a new section that indicates that stormwater management facilities shall be designed located and designed such that they will accommodate the interim and ultimate roadway drainage for Trafalgar Road. I have no concerns with this modification as it reflects the Regional ownership and control over Trafalgar Road. **Modification 24** is also editorial in nature and is supported.

H6.8 - Designing Streets for Active Transportation

There are four modifications to this section (**Modifications 25, 26, 27 and 28**) and all are editorial in nature and/or provide additional clarity. The last modification in particular (**Modification 28**) indicates that the most recent Regional Active Transportation Plan should be considered when implementing OPA 32 in the future. These modifications are supported.

H6.10 - Community Core

There are three modifications to this section. **Modifications 29 and 30** essentially require that the Region be part of the planning process when a Community Core Plan is prepared and when a detailed phasing plan is prepared and these modifications are supported. **Modification 31** proposes a new policy and it simply requires that the Community Core Plan reflect any environmental mitigation and enhancement recommendations contained in a final approved EIR and this modification is also supported.

H6.12 - Land Use Designations Outside of the Community Core

There are 11 modifications proposed to the policies that deal with all of the other designations except the Community Core Area. **Modifications 32, 33, 34, 35, 37, 39, 41 and 42** are editorial in nature or are required to allow for the renumbering of certain sections and are supported.

Modification 36 is intended to more clearly articulate the goal of natural heritage system protection in the Vision Georgetown Secondary Plan area and is supported. **Modifications 37 and 38** deal with trails within linkage and enhancement areas and they establish the criteria under which they can be considered in such areas. **Modification 40** is a proposed new policy that deals with stormwater management facilities and it indicates that such facilities would not be permitted within the natural heritage system. However, the proposed policy indicates that ancillary pipes, outlets, head walls and other associated infrastructure required to convey flow from facilities outside the natural heritage system to receiving water bodies would be permitted. In addition, the policy would permit appropriately designed low impact development measures within the buffers and linkage and enhancement areas. The intent of this modification is to clarify where such facilities are permitted and the modification is supported.

Modification 43 proposes to make a number of changes to Section H6.12.11 that deals with the Stormwater Conveyance Corridor along Trafalgar Road. The modification proposes to change the name of this corridor to 'Future Natural Channel Corridor'. In addition the corridor is to be identified as a special study area. The modification further confirms that additional work is required to finalize the location of the corridor to the satisfaction of the Town, Conservation Halton and the Region in advance of or concurrent with the preparation of the required block plan and/or EIR. The modification also indicates that any area that is confirmed as being required for stormwater conveyance in this area must be located outside of the Region's right of way along Trafalgar Road. Lastly, the modification indicates that the Future Natural Channel Corridor will not preclude the accommodation of interim and ultimate stormwater management requirements for Trafalgar Road. This modification clarifies the Region's expectations with respect to the Future Natural Channel Corridor and is appropriate given the Region's jurisdiction over Trafalgar Road.

H6.13 - Subwatershed Study

Modifications 44 to 73 deal with the Subwatershed Study policy framework.

Modification 44 proposes a number of changes to section H6.13.1 that essentially require the submission of further addenda to the Subwatershed Study to deal with a number of outstanding issues. The modification also indicates that future addenda must provide additional information regarding the special study areas that must be addressed to the satisfaction of the Town, Region and Conservation Authorities at the EIR or later stage of development. The Region has indicated that these addenda are required prior to the Region being able to approve OPA 32. The Region has asked for this additional information because Section 116.1 (a) of the ROP indicates that Subwatershed Studies are to be accepted by the Region in the context of an area-specific plan (Secondary Plan), which essentially means that the Region must accept such studies before they can approve a Secondary Plan.

Modification 45 indicates that the NHS illustrated on the schedules should be considered preliminary and subject to further refinement. This modification is appropriate as it was always anticipated that future refinements might be necessary, once more detailed studies in support of developing applications were completed.

Modification 46 clarifies that a number of modifications and improvements to the NHS were recommended by the Subwatershed Study and Addenda and is also supportable.

Modification 47 deals with the black locust woodland. The policy initially indicated that the Subwatershed study concluded that 2.47 hectares of the black locust woodland adjacent to the 8th Line could be removed and mitigated through the establishment of reforestation areas having a minimum size of 2.0 hectares and the implementation of other infill restoration opportunities. The Region

proposes to delete this policy in its entirety such that the recommendations made in the Subwatershed study are considered to be the initial recommendation only.

The modification also recognizes that notwithstanding the classification of black locust as invasive species, the woodland meets the criteria for significant woodland in the ROP, which I can confirm is accurate. The modification indicates that the policies of the ROP as they relate to significant woodlands shall apply pending the outcome of the Regional Official Plan review that will assess and update the policies and definitions for woodland and significant woodlands and the completion of a future EIR that provides a detailed assessment of the black locust woodland ecological functions in accordance with Provincial and Regional policies. The modification further indicates that this detailed assessment would identify lands to be included within the natural heritage system and lands that would not be included and for the lands not included they could be developed for residential purposes. Lastly, the modification indicates that an Official Plan Amendment would not be required to implement a future EIR as it applies to this special study area.

There has been considerable discussion about this black locust woodland. In my opinion, the proposed modification recognizes that the black locust is an invasive species and establishes a path forward with respect to dealing with this issue. On this basis, this modification is supported.

Modifications 48 and 50 are editorial in nature.

Modification 49 takes into account the additional ecological input received through the process on the spatial extent of the Block C-D Linkage/Enhancement Area and on that basis, this modification is supported.

Modification 51 proposes a new policy to deal with the potential watercourse relocation along the south side of Block B on the 8th Line. Concerns about the watercourse in this location were raised by one of the landowners on the 8th Line. This modification recognizes that further work on the location of the watercourse is to be carried out through a future EIR. In my opinion, this is an acceptable solution and as a consequence, this modification is supported.

Modification 52 deals with buffers, which was a significant discussion item through the Vision Georgetown process. The buffer policy as adopted by Town Council in OPA 32 indicated that the buffers included within the NHS were based on a variable buffer approach. This approach took into consideration the sensitivity of the natural heritage features and functions to be protected, buffer function, impact from proposed adjacent land uses as well as enhancements and mitigation opportunities. With the above in mind, the buffers within the NHS shown on the schedules in the adopted version of OPA 32 range between 10 and 25 metres.

Modification 52 proposes to delete the replace Section H6.13.3. The proposed policy indicates that the work completed in the Subwatershed Study should be considered as 'initial assessment'. The proposed policy also indicates that the Sustainable Halton report 3.02 recommended that a 30-metre buffer be applied adjacent to woodlands, wetlands and watercourses in keeping with a precautionary approach. While this is accurate, I note that the 30-metre buffer requirement is not included in the ROP.

The proposed policy goes on to indicate that a final buffer width is to be determined through a future EIR at the development stage when additional information is available to determine the nature of adjacent land uses and related impacts on the NHS and may include additions or deletions to the buffer widths, subject to meeting a number of criteria. Notwithstanding the replacement of the buffer policy, the Region has chosen to not modify Schedule H6-2 and establish 30-metre buffer widths as was originally proposed in discussions with the Region. If this occurred, a considerable amount of additional land would have been included in the NHS.

It is my opinion that the process undertaken through the Subwatershed study was appropriate in determining the extent of the variable buffer width that should apply. However, it was always recognized that additional work and consideration of buffer width would occur at the development stage. In my opinion the proposed modification on buffers is in keeping with that thinking. I am of the opinion that the policy proposed by the Region establishes the basis for further discussions on an appropriate buffer width that take into account a number of relevant factors. As a consequence, I am in support of the proposed modification.

Modifications 53 and 54 essentially identify the additional studies that are required to support the Subwatershed Study and development within the three special study areas, which are the black locust woodland special study area, the future natural channel corridor special study area and the Block B potential NHS refinement special study area.

Modification 55 is also editorial in nature and supportive of the above modifications. **Modification 56** proposes a new section be included within the section dealing with Environmental Implementation Reports. Essentially this new section reflects Section 118 of the ROP and its requirement that all such reports be based on a systems approach. This modification provides additional clarity and is supported.

The remaining modifications to this section (**Modifications 57 to 73**) are editorial in nature, provide additional clarity and/or are supportive of other modifications already made and in this regard, they are all supported.

H6.14 - Road Network

Modifications 74 to 81 apply to the section of OPA 32 dealing with the road network. **Modification 74** proposes a new section that essentially indicates that the location and general alignment of collector roads as shown on the schedules are approximate and that amendments to the Official Plan are not required if the alignment changes. This modification is supported.

Modification 75 proposes a new policy that indicates that local roads are not shown on the schedules and will be determined through future development processes. This modification is also supported as it reflects current practice. **Modifications 76 to 78** are to accommodate the renumbering of sections.

Modification 79 deals with reverse frontage lots on Arterial Roads. In this regard the policy initially indicated that these types of lots are discouraged and the Region proposes to indicate that such lots are strongly discouraged. In addition the modification indicates that noise attenuation walls, as a mitigation measure shall only be considered where it has been demonstrated that there are no other reasonable alternatives. This modification supports the overall vision of the Vision Georgetown secondary plan for uses that front on and have a presence on arterial roads and therefore the modification is supported.

Modification 80 proposes a new section that recognizes that the 10 Side Road and Trafalgar Road are Major Arterial Roads under the jurisdiction of the Region and are subject to the policies of the ROP. The modification further indicates that access to Regional roads shall be in accordance with the most current Halton Region access management guidelines and by-laws. This modification is supported, as this would be the case in any event.

Modification 81 proposes the inclusion of a new section on transportation impact studies and indicates that they are required to support development applications. This modification is supported as this occurs in any event.

H6.23 - Implementation

Modifications 82 to 93 deal with implementation. **Modification 82** indicates that the required infrastructure-staging plan shall be prepared in consultation with Halton Region. This modification is supported, as this would be the case in any event. **Modifications 83 and 84** are editorial in nature.

Modifications 85 and 86 involve the inclusion of a new section on development phasing. OPA 32 as adopted by Council did not contain detailed phasing policies or a map that showed the future phasing of development because the phasing plan had not been finalized at that point. In this regard, Schedule H6-1 is proposed to be modified by the Region with the addition of two phases of development. Phase 1 applies to the area between the one major north-south collector and the 8th Line with Phase 2 applying to the lands to the west of the major north-south collector and Trafalgar Road. In addition the

modification indicates that the progression of development shall generally proceed in a south to north direction from 10 Side Road to 15 Side Road.

The modification also indicates that the progression of development shall be contingent on the availability and efficient utilization of public infrastructure and services, including the construction of critical elements of the road network, schools and community facilities. In addition a mix of housing shall be provided in each phase or sub phase and the development of the Community Core are shall commence in Phase 1. Lastly the proposed modification indicates that prior to the approval of any applications for development in Phase 2, a minimum of 75% of the gross developable area within Phase 1 must be within Registered Plans of Subdivision or zoned to permit the development contemplated by this secondary plan. These modifications are supported as they provide additional clarity on how phasing is to occur within Vision Georgetown.

Modification 87 is related to modification 86 and it provides for a number of exceptions to the base phasing policies. Specifically, it permits certain public infrastructure such as roads parks, firehalls, schools and servicing facilities in Phase 2 at any time and provides the ability for Council at its sole discretion to determine to accept and approve an application for development in Phase 2 prior to a minimum of 75% of the lands in Phase 1 being within Registered Plans or zoned to permit the development. These exceptions are considered to be appropriate and are supported.

Modification 88 is also related to phasing and it indicates that in no case will one owner or group of owners be permitted to unreasonably delay the normal progression of development contemplated by this plan. If this occurs, the modification indicates that the Official Plan should be amended to establish a new phasing plan if this occurs. This modification is prudent and is supported; however, it is recognized that requiring an Official Plan Amendment to change the phasing plan will add some additional delay.

Modifications 89 to 92 are editorial in nature and or provide additional clarity. **Modification 93** proposes to add a new section on development monitoring, and would require a development monitoring program that will include consideration of level of population and employment growth, supply of existing lots and building permits granted, general achievement of housing mix targets, occupancy permits granted and development application status. It is my opinion that this information would be useful and the modification is therefore supported.

Schedules

Modification 94 proposes the replacement of Schedule H6-1, which sets out the Vision Georgetown community structure. In this regard, the following changes are proposed:

1. The linkage and enhancement area between Blocks C and D has been enlarged as per Modification 49;
2. The Black Locust Woodland Special Study Area has been added as per Modification 47;
3. The Block B Potential Watercourse Relocation Special Study Area has been added and the limits of the Natural Heritage System in the vicinity of Block B have also been modified as per Modification 51;
4. Phases 1 and 2 have been added as per Modification 86;
5. The Stormwater Conveyance Corridor along Trafalgar Road has been renamed as Future Natural Channel Corridor Special study Area as per Modification 43;
6. A notation has been added to the legend indicating that the final Natural Heritage System buffers will be determined in accordance with Policy H6.13.3 as per Modification 52; and,
7. The word 'conceptual' has been added to the legend box describing the stormwater management facilities, which would be in keeping with Modifications 21 and 72.

For reasons set out in response to the text modifications, the above schedule changes are supported.

Modification 95 proposes to replace Schedule H6-2, which is the Vision Georgetown land use plan. In addition to the changes made to Schedule H6-1, the word 'conceptual' has been added to the legend box describing the parks. This modification is not supported by a modification to the text; however, it is supported because park locations may change, as more detailed implementation plans are prepared.

Modification 96 proposes to replace Schedule H6-3, which is the Vision Georgetown Transportation Network schedule. In this regard, it is proposed to:

1. Add 'Existing Major Arterial' labels to Trafalgar Road and 10 Side Road along with minimum right-of-way widths as per Modification 80 (this is supported for clarity purposes);
2. Add 'Existing Minor Arterial' labels to the 8th Line and 15 Side Road along with minimum right-of-way widths (this is not supported by a text modification; however, its addition is supported for clarity purposes as it relates to minimum right-of-way requirements for these roads);
3. Add the word 'conceptual' to the description of soft surface trails and local trail connectors (this modification is not supported by a modification to the text; however, it is supported because trail locations may change, as more detailed implementation plans are prepared);

4. Add two-way bike lanes to the major and minor collectors that are internal to Vision Georgetown (this modification is not supported by a modification to the text; however, it is supported because identifying these bike lanes up front ensures that they will be part of the design of future roads); and,
5. Identify Trafalgar Road as Regional Transit Priority Corridor as per Modification 80 (this is supported as it is in keeping with the Region's Mobility Management Strategy).