

Ontario Municipal Board
Commission des affaires municipales
de l'Ontario



ISSUE DATE: October 2, 2014

CASE NO(S): PL110857
PL091166
PL111358

PROCEEDING COMMENCED UNDER subsection 17(36) of the *Planning Act*, R.S.O. 1990, C. P. 13, as amended

Appellant: 2220243 ONT Inc.
Appellant: Coryville Construction Ltd. and Shelson Properties
Appellant: Ltd. (jointly)
Appellant: Country Homes
Fieldgate Developments Limited and Trinison
Development Corporation (jointly); and others
Subject: Proposed Official Plan Amendment No. 39
Municipality: Regional Municipality of Halton
OMB Case No.: PL110857
OMB File No.: PL110857

PROCEEDING COMMENCED UNDER subsection 17(36) of the *Planning Act*, R.S.O. 1990, C. P. 13, as amended

Appellant: Georgetown Shopping Centres Ltd.
Appellant: Mattamy Development Co.
Appellant: Southwest Georgetown Landowners Group
Subject: Proposed Official Plan Amendment No. 37
Municipality: Regional Municipality of Halton
OMB Case No.: PL091166
OMB File No.: PL091166

PROCEEDING COMMENCED UNDER subsection 17(36) of the *Planning Act*, R.S.O. 1990, C. P. 13, as amended

Appellant: 1137528 Ontario Limited (Swiss Chalet)
Appellant: 1652152 Ontario Inc.
Appellant: 2220243 Ontario Inc.
Appellant: Catholic Cemeteries of The Diocese of Hamilton;
and others
Subject: Proposed Official Plan Amendment No. 38
Municipality: Regional Municipality of Halton
OMB Case No.: PL111358

OMB File No.: PL111358

APPEARANCES:

See Appendix 1 attached

Heard: September 9, 2014 in Oakville, Ontario

DECISION DELIVERED BY J. V. ZUIDEMA AND ORDER OF THE BOARD

INTRODUCTION

[1] A Pre-Hearing Conference ("PHC") was held so that the Board was updated on the progress of the remaining phases of this hearing. The Region provided an overview of the steps it had undertaken in conjunction with other parties concerning mediation and continued dialogue in order to resolve or further scope the numerous issues for the upcoming phase of the hearing.

[2] From a review of the comments at this PHC and the fact that a number of parties in attendance did not speak in opposition, the overview and suggestions provided by the Region were incorporated into an oral decision and are reflected in this disposition.

[3] Firstly, the list of parties as illustrated on page 2 of Exhibit 165 will also include Conservation Halton, the Town of Halton Hills and the Province each with an asterisk. These parties may choose to simply monitor the hearing.

[4] Secondly, the parties are required to provide their comments or clarifications concerning the Consolidated Issues List for Phases 3A and 3B by September 15, 2014 with the Region circulating a final List by September 19, 2014.

[5] Thirdly, exchange dates for witness statements shall be October 6, 2014 with reply witness statements due by October 20, 2014 and October 27, 2014 will be the last day to inform other parties if a witness who has filed a statement will not be giving

evidence and to exchange all visual evidence. These exchange dates are set because this hearing is to commence as scheduled on November 4, 2014.

[6] A request to adjourn the November Phase 3A and 3B hearing was made by Paul DeMelo on behalf of his client. The reason being that one of his critical witnesses will be unavailable during the entire month of November. This request was opposed. The Board did not grant this adjournment request. The hearing is to proceed as set and Mr. DeMelo's client will be required to retain another witness to step in, if such evidence is relevant and necessary.

[7] The Board was advised that none of the hearing dates in November should be released at this stage as while negotiations are still ongoing, it might very well be the case that all this allocated hearing time will be needed.

[8] Finally, the Board was provided with the final Draft Order for Partial Approval filed as Exhibit 169(b). The Region had brought an earlier motion for partial approval at earlier PHCs but some fine tuning was required in the interim. The Board had granted approval in principle on those earlier occasions. The Order now is appended to this decision and the Board relies on the evidence which had been filed (Affidavit material from Ho Wong, Planner) to provide its decision to modify and in so doing, approve in part.

[9] Therefore, the Region's motion for partial approval is granted and the approval is reflected in the attachment to this decision.

[10] Phases 3A and 3B will commence at **10 a.m. on Tuesday, November 4, 2014**
at:

**Glenorchy/Dakota Rooms
Regional Administrative Building
1151 Bronte Road
Oakville, Ontario L6M 3L1**

and I will continue to conduct this hearing.

"J. V. Zuidema"

J. V. ZUIDEMA
VICE-CHAIR

Ontario Municipal Board

A constituent tribunal of Environment and Land Tribunals Ontario

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APPENDIX 1

Parties:

Counsel*/Agent:

Mattamy Development Corporation
Mr. and Mrs. Victor Enns
Swiss Chalet (1137528 Ontario Limited)
Oak-Land Ford Lincoln

L. Townsend*
D. Baker*

Georgetown Shopping Centres Ltd.

C. Lyons*

Southwest Georgetown Landowners Group
Lormel Developments (Georgetown) Ltd.

Q. Annibale*
M. Joblin*

Fieldgate Developments
Trinison Management Corp.
Trebiano Trail Development
Orianna Glen Homes Corp.
Sempronia Estate Inc.
Albanella Development Ltd.
Mil Con Four Britannia Developments Limited
Mil Con Four Thomson Developments Limited

I. Kagan*
P. DeMelo*

Halton Region

S. Waqué*
I. Tang*

Ministry of Municipal Affairs and Housing

K. Hare*
B. Boxma*

South Georgetown Landowners Group

C. Barnett*

Town of Halton Hills

J. Wilker*
D. Germain*

Town of Milton

J. Matera*
E. Costello*

Munn's United Church

C. Goldsmith*

Clay Brick Association of Canada	R. Webb* R. Long
Conservation Halton	P. Pickfield* M. Connell* J. Lawrence N. Davis*
Crosswinds Golf & Country Club (1652152 Ontario Inc.)	
Don Johnson	D. Johnson
Halton Region Federation of Agriculture Joseph H. Richardson	S. Snider* and N. Smith*
Holcim (Canada) Inc. Nelson Aggregate Co. Ontario Stone, Sand & Gravel Association	J. Kahn* L. Aagard*
Melrose Properties Inc. Ironrose Investments Limited 2220243 Ontario Inc.	R. Cheeseman*
Memorial Gardens Canada Limited	T. Barlow* S. Turney*
Milton Business Park II Landowners Group	H. Arnold* C. Chung
Milton Phase 3 Landowners Group Inc.	M. Noskiewicz* C. Lyons*
Newmark Developments Limited Rosko Investment and Development Limited	S. Zakem* P. Harrington*
North Oakville Community Builders Inc.	D. Steinberg *
Orlando Corporation	L. Longo* P. Harrington*
Paletta International Corporation P&L Livestock Limited	S. Snider* N. Smith*
Shipp Corporation Limited	C. Lantz* P. Duffy
Sundial Homes (3 rd Line) Limited Sundial Homes (4 th Line) Limited	M. McQuaid* T. Tsun*

Trafalgar Golf and Country Club	G. Petch*
TSI International Canada Inc. Milton Main Street Homes Ltd. Shelson Properties Ltd. and Coryville Construction Ltd. United Parcel Services of Canada	J. Alati* M. McDermid *
Bronte Green Corporation	T. Bermingham*
City of Burlington (to ROPA 39)	P. Foran* P. Harrington*
Evergreen Community (Burlington) Ltd.	B. Hurley* K. Stavrakos* R. Northey* S. Mahadevan*
Niagara Escarpment Commission	E. Kerr*
Town of Oakville (to ROPA 38 & 39)	J. Huctwith*
Venturon Development (Milton) Inc. Venturon Development (Milton 46) Inc. ("National Homes") Venturon Development (Milton 90) Inc.	B. Kussner*
York Trafalgar Corp.	M. Kemerer*

Participants:

City of Burlington (to ROPA 37)
Town of Oakville (to ROPA 37)
Trafalgar Golf and Country Club (to ROPA
39)

Counsel*/Agents:

B. Hurley*
R. Northey*
J. Huctwith*
G. Petch*

ONTARIO MUNICIPAL BOARD
Commission des affaires municipales de l'Ontario

IN THE MATTER OF Subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellants: See Attachment "1"
Subject: Proposed Official Plan Amendment No. 38
Municipality: Regional Municipality of Halton
O.M.B. Case No.: PL111358
O.M.B. File No.: PL111358

B E F O R E:

J. ZUIDEMA)
VICE-CHAIR)
) [date], 2014

THIS MATTER having come on for a public hearing on February 18, 2014;

AND THE BOARD having granted the Regional Municipality of Halton's ("Halton Region") motion for partial approval of Regional Official Plan Amendments No. 38 ("ROPA 38") in principle on February 18, 2014;

AND THE BOARD having heard the submissions of counsel for Halton Region relating to the proposed partial approval of ROPA 38 as modified and as further described herein;

AND THE BOARD having heard the submissions of counsel for certain other parties related to the proposed partial approval of ROPA 38;

AND THE BOARD having received the affidavit evidence of Ho-Kwan Wong, MCIP, RPP (sworn February 6, 2014) pertaining to the proposed partial approval of ROPA 38 filed on behalf of Halton Region;

AND THE BOARD having been advised that while revisions to the Halton Region Official Plan [2006] (the "2006 Plan") were brought forward through three amendments, ROPAs 37, 38 and 39, rather than adopting a new Plan, the Ministry of Municipal Affairs and Housing ("MMAH") modified sections of the 2006 Plan that were that were not specifically addressed in the Council adoption of ROPA 38 and issued its decision for ROPA 38 which has now been

appealed to this Board. Further, in advancing and responding to the issues put before the Board, parties have identified amendments to other sections of the Plan as necessary or ancillary to resolving those issues brought before the Board. Other sections of the 2006 Plan are not amended by ROPAs 37, 38 and 39, although many of these sections are engaged through cross reference to the comprehensive new mapping introduced by ROPAs 37, 38 and 39. The Board is being asked to acknowledge for the purpose of context that these other sections of the Plan are in force subject to the terms of this Order and the parts of the Plan that remain under appeal;

AND THE BOARD having been advised that the parties consent to an Order partially approving ROPA 38 on the basis set out herein;

AND THE BOARD previously having issued an Order for Partial Approval on February 4, 2014;

THE BOARD ORDERS that:

1. This Order implements the approval in principle that the Board granted on February 18, 2014 by providing Schedules and other details associated with this Decision.
2. In accordance with section 17(50) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, and on consent of the parties, modification to those sections and parts of the 2006 Plan as shown in the Halton Region Official Plan [2009] – February 18, 2014 Interim Office Consolidation (the “Consolidated Plan”) and identified in Schedule “2” to this Order are confirmed to be approved and come into force as of the dates indicated on Schedule “2” and are to be read and applied with the sections and parts set out in paragraph 3.
3. The sections and parts of the 2006 Plan unaffected by ROPA 38 or on appeal to the Board as identified in Schedule “1” to this Order are hereby acknowledged for the purpose of context to be in full force and effect as approved policies of the 2006 Plan to be used on a Region-wide basis with the remaining sections, figures, tables and maps of that Plan until such time when further decisions are rendered by the Board in respect of ROPA 38.

4. Further, on consent of the parties, those sections and parts of the 2006 Plan modified by ROPA 38 (as approved by the MMAH) or modified on appeal to the Board, as identified in Schedule “3” to this Order will remain under appeal.
5. The land use designations and policies for certain lands on certain maps remain under appeal on a site specific or area specific basis as set out in Schedules “4A” and “4B” of this Order. Where such land use designations and policies remain under appeal, the in-force land use designations and policies for those specific sites or areas shall be those land use designations in the approved 2006 Plan.
6. For the purpose of clarity and ease of reference, the map set out in Schedule “4B” is attached. Where policies and/or maps regarding ROPA 38 are referenced in Schedule “4A” as remaining under appeal on a site or area specific basis, the areas for which the operative provisions of the said maps and/or policies are under appeal is graphically shown on Schedule “4B”. Halton Region will not call evidence, or make submissions to the Board, that the partial resolution of any appeal of ROPA 38 upon the consent of the affected parties is, or should be found by the Board to be, an admission or acceptance in itself by the parties of the planning merits of the maps, policies, figures, definitions, tables and associated text approved by the Board pursuant to this Order.
7. The above noted appeals in paragraph 6 are hereby maintained with respect to those portions of the Consolidated Plan that are set out in Schedule “3” and Schedules “4A” and “4B” to this Order, on either a Region-wide basis or a site or area specific basis as set out in those respective Schedules.
8. The following appeals have been partially resolved through the partial approval of ROPA 38 in this Order:
 - a) Don Johnson;
 - b) Evergreen Community (Burlington) Ltd.;
 - c) Ontario Stone, Sand & Gravel Association, Holcim (Canada) Inc. and Nelson Aggregate Co.;

- d) Mil Con Four Britannia Developments Limited, Mil Con Four Thomson Developments Limited and Fieldgate Developments Limited; and
 - e) City of Burlington;
9. The partial approval of ROPA 38 in this Order shall be strictly without prejudice to, and shall not have the effect of limiting:
- a) the rights of a party to seek to modify, delete or add to the unapproved maps, policies, figures, definitions, tables and associated text in the Consolidated Plan, on a Region-wide, area specific or site specific basis, as the case may be; or
 - b) the jurisdiction of the Board to consider and approve modifications, deletions or additions to the unapproved maps, policies, figures, definitions, tables and associated text in the Consolidated Plan on a Region-wide, area specific or site specific basis, as the case may be.
10. To the extent possible, and recognizing that certain issues for the hearing are not tied to specific policy wording, the parties shall limit their remaining issues to only those portions of the Consolidated Plan set out in Schedules “3” and “4” to this Order on a Region-wide, area specific or site specific basis as set out in those respective Schedules.
11. Notwithstanding paragraphs 9 and 10, the Board retains jurisdiction to consider and approve modifications to approved maps, policies, figures, definitions, tables and associated text, as they may relate to the issues then before the Board to dispose of the outstanding appeals before the Board.
12. This Order is without prejudice to the remaining appeals filed in respect of ROPA 38, which appeals shall be determined through the hearing process or as otherwise consented to by the parties and approved by the Board.
13. Where parties have agreed to scope their site specific appeal to the policies listed in Schedule “4A”, the Board expressly reserves jurisdiction to provide for site specific exemptions or alternative policies as may be determined to be appropriate by the Board notwithstanding this Order.

14. This Order is without prejudice to any position a party before the Board may take in the future as to whether or not further amendments to sections not adopted by Council in ROPA 38 and not included in the approval by the MMAH including the MMAH's modifications are necessary and ancillary to issues before the Board.
15. The Schedules which are attached to this Order shall form part of this Order.
16. The Board may be spoken to should any matters arise respecting the implementation of this Order.

SECRETARY

TOR01: 5477236: v4

SCHEDULE 1

To Board Order Dated _____ for Partial Approval of Regional Official Plan

Explanation

Schedule 1 to this Board Order includes those sections or parts of the approved 2006 Plan not subject to modifications under ROPA 38 nor from any subsequent sources and not contested by any party in response to the Region's Motion for Partial Approval dated February 7.

The effective date of these sections or parts of the Plan is **February 18, 2014**.

Part of Official Plan	Sections
Part II Basic Position	
<i>Halton's Regional Structure</i> Sections 50-56	52(1)
Part III Land Stewardship Policies	
<i>Mineral Resource Extraction Areas</i> Sections 107-110	107 (preamble), 109(8), 110 (preamble)
<i>Identification of Mineral Resources Areas</i> Sections 111-112	112 (preamble), 112(3)
<i>Regional Natural Heritage System</i> Section 115-132	118(6)a), 118(6)c), 118(6)d)
Part VI Definitions	
Sections 211-311	281

SCHEDULE 2

To Board Order Dated _____ for Partial Approval of Regional Official Plan

Explanation

Schedule 2 to this Board Order includes those sections or parts of the approved 2006 Plan that have been modified, regardless of source, and not contested by any party in response to the Region’s Motion for Partial Approval dated February 7, 2014. The third column in the table below describes modifications that have been made to that section or part of the Plan after the adoption by Council of ROPA 38. This includes modifications made through ROPA 39, discussions and mediation, and Minutes of Settlement with certain Parties. The table also includes parts of the Plan that were modified only by ROPA 38.

The effective date of these sections or parts of the Plan is **February 18, 2014** except as noted below:

Colour	Effective Date
Orange Highlight	October 21, 2013

Item No.	Section	Modifications Since Adoption of ROPA 38 by Council
Part II Basic Position		
1.	27(1)	(Modified only by ROPA 38.)
2.	51(1)	(Modified only by ROPA 38.)
3.	51(2.2)	(Modified only by ROPA 38.)
4.	51(2.3)	(Modified only by ROPA 38.)
5.	51(3.1)	Modified by ROPA 38 and further modified by adding the word “and,” after the word “waterfront,”.
6.	51.1	(Modified only by ROPA 38.)
7.	51.1(1)	(Modified only by ROPA 38.)
8.	51.1(2)	(Modified only by ROPA 38.)
9.	51.1(3)	(Modified only by ROPA 38.)
10.	51.1(4)	(Modified only by ROPA 38.)

<i>Item No.</i>	<i>Section</i>	<i>Modifications Since Adoption of ROPA 38 by Council</i>
11.	51.1 (trailing paragraph)	Modified by ROPA 38 and further modified by adding the word "Niagara Escarpment Plan" after the words "the key" and further by deleting the words "under these Plans" after the word "designations".
12.	51.2(3)	(Modified only by ROPA 38.)
13.	51.2(5)	(Modified only by ROPA 38.)
14.	52. (preamble)	(Modified only by ROPA 38.)
Part III Land Stewardship		
15.	61 (preamble)	(Modified only by ROPA 38.)
16.	67.	(Modified only by ROPA 38.)
17.	71(1)	(Modified only by ROPA 38.)
18.	71(3)	Modified by ROPA 38 and further modified by deleting the words "Greenbelt Plan Policy Area," and replacing them with the words "[Section number not in use.]".
19.	71(4)	(Modified only by ROPA 38.)
20.	71(5)	(Modified only by ROPA 38.)
21.	71(7)	Modified by ROPA 38 and further modified by adding the word "and," after the words "Regional Waterfront Park,".
22.	101(2)g)	A new Section 101(2)g) is added that reads as follows: "101(2)g) Preserve the agricultural land base by protecting <i>Prime Agricultural Areas</i> as identified on Map 1E"
23.	107(2)	Modified by deleting the words " <i>pits and quarries</i> " and adding the words " <i>mineral aggregate operations</i> " after the words "legally existing."
24.	107(3)	Modified by ROPA 38 and further modified by adding the word " <i>aggregate</i> " after the word " <i>mineral</i> "; by deleting the word " <i>operations</i> " after the word " <i>extraction</i> "; and by deleting the letter " <i>s</i> " from the word " <i>occurs</i> " after the word " <i>extraction</i> ".
25.	109. (preamble)	Modified by ROPA 38 and further modified by deleting the words "applicable detailed permitted uses and <i>development</i> criteria of the

Item No.	Section	Modifications Since Adoption of ROPA 38 by Council
		Niagara Escarpment Plan,” after the words “this Plan,” and further by adding the words “and Niagara Escarpment Plan” after the words “Greenbelt Plan” and further by adding the letter “s” to the end of the word “Resource” after the word “Aggregate”.
26.	110(2)	Modified by ROPA 38 and further modified by deleting the words “, Regional and Local” after the word “Provincial” and further by adding the words “and Regional and Local Official Plan policies” after the word “requirements”.
27.	110(7.1) (preamble)	Modified by ROPA 38 and further modified to read as follows: “110(7.1) In areas outside the Greenbelt Natural Heritage System, consider applications for new or expanded <i>mineral aggregate operations</i> by amendment to this Plan and/or the Niagara Escarpment Plan in appropriate land use designations other than the following areas.”
28.	110(7.1)a)	Modified by ROPA 38 and further modified by deleting the words “by amendment to” after the word “except”.
29.	110(7.1)b)	(Modified only by ROPA 38.)
30.	110(7.1)c)	Modified by ROPA 38 and further modified by italicizing the word “Significant” at the start of the section and further by deleting the word “confirmed” and replacing it with “identified” after the words “species as” and further by adding the words “except in accordance with the <i>Endangered Species Act, 2007</i> ” after the words “the Province,”.
31.	110(7.1)d) [Renumbered from 110(7.1)e)]	Modified by ROPA 38 and further modified by deleting the section in its entirety; and further by renumbering Section 110(7.1)e) to 110(7.1)d); by adding the words “For <i>quarries</i> ” at the start of the Section; by replacing the capital ‘A’ with a lowercase ‘a’ in the word “areas”; and by deleting the words “as determined by the Niagara Escarpment Commission, and” at the end of the Section.
32.	110(7.1)f) [New Section]	A new Section 110(7.1)f) is added that reads as follows: “110(7.1)f) The North Aldershot Policy Area except in accordance with the time limited and area specific Minutes of Settlement dated June 1, 2013 and executed prior to the approval of this Plan.”
33.	110(8)c)[iii]	(Modified only by ROPA 38.)
34.	110(8)c)[v]	(Modified only by ROPA 38.)

<i>Item No.</i>	<i>Section</i>	<i>Modifications Since Adoption of ROPA 38 by Council</i>
35.	110(8)c)[vii]	(Modified only by ROPA 38.)
36.	110(8)c)[viii]	A new Section 110(8)c)[viii] is added that read as follows: "110(8)c)[viii] air quality, and"
37.	110(8)c.1)	Modified by ROPA 38 and further modified by deleting the word " <i>Halton</i> " and adding the words "the general area "after the words "operations in".
38.	110(8)d)	(Modified only by ROPA 38.)
39.	110(8.1) (preamble)	(Modified only by ROPA 38.)
40.	110(8.1)d)	A new Section 110(8.1)d) is added that reads: "110(8.1)d) Conforms with the applicable policies of the Greenbelt Plan."
41.	112(4)	(Modified only by ROPA 38.)
42.	113.	Modified by ROPA 38 and further modified by deleting the words "[Section number not in use.]" and replacing them with the following: "The Natural Heritage System consists of the Greenbelt Natural Heritage System and the Regional Natural Heritage System."
43.	115.1	(Modified only by ROPA 38.)
44.	115.4 (preamble)	(Modified only by ROPA 38.)
45.	115.4(1)	(Modified only by ROPA 38.)
46.	115.4(2)	Modified by ROPA 38 and further modified by deleting the word "and" after the words "as determined," and further by adding the words "and refined from time to time" after the word "mapped."
47.	115.4(3)	Modified by deleting the Provincial modification to this section in its entirety.
48.	116.	(Modified only by ROPA 38.)
49.	116.2	Modified by ROPA 38 and further modified by adding the words "Notwithstanding Section 116.1," and further by replacing the capital 'W' with a lowercase 'w' in the word "within".

Item No.	Section	Modifications Since Adoption of ROPA 38 by Council
50.	116.3	Modified by ROPA 38 and further modified by adding the words "Notwithstanding Section 116.1," and further by replacing the capital 'W' with a lowercase 'w' in the word "within".
51.	117.	(Modified only by ROPA 38.)
52.	118(6) (preamble)	Modified by ROPA 38 and further modified by removing the italics from the word "development" after the words "encourage the".
53.	118(12)	Modified by ROPA 38 and further modified by deleting the words " <i>Provincially Significant Wetlands</i> and" after the words "setbacks from".
54.	118(15) (preamble)	(Modified only by ROPA 38.)
55.	118(15)a)	(Modified only by ROPA 38.)
56.	118(15)b)	(Modified only by ROPA 38.)
57.	118(15)c)	(Modified only by ROPA 38.)
58.	118(15)d)	(Modified only by ROPA 38.)
59.	118(16)	(Modified only by ROPA 38.)
60.	118(17)	(Modified only by ROPA 38.)
61.	118(18)	(Modified only by ROPA 38.)
62.	119.	(Modified only by ROPA 38.)
63.	120.	(Modified only by ROPA 38.)
64.	121.	(Modified only by ROPA 38.)
65.	122.	(Modified only by ROPA 38.)
66.	123.	(Modified only by ROPA 38.)
67.	124.	(Modified only by ROPA 38.)

<i>Item No.</i>	<i>Section</i>	<i>Modifications Since Adoption of ROPA 38 by Council</i>
68.	125.	(Modified only by ROPA 38.)
69.	126.	(Modified only by ROPA 38.)
70.	127.	(Modified only by ROPA 38.)
71.	128.	(Modified only by ROPA 38.)
72.	129.	(Modified only by ROPA 38.)
73.	130.	(Modified only by ROPA 38.)
74.	131.	(Modified only by ROPA 38.)
75.	132.	(Modified only by ROPA 38.)
76.	139.3.1	A new Section 139.3.1 is added that reads as follows: "139.3.1 The purpose of the Greenbelt Natural Heritage System shown as an overlay on Map 1 and Map 1A is to implement <i>policies</i> of the Provincial Greenbelt Plan as they apply to its Natural Heritage System."
77.	139.3.2	A new Section 139.3.2 is added that reads as follows: "139.3.2 [Section number not in use.]"
78.	139.3.5	A new Section 139.3.5 is added that reads as follows: "139.3.5 <i>Development</i> within the Greenbelt Natural Heritage System is subject to <i>policies</i> of the Greenbelt Plan as they apply to its Natural Heritage System and to detailed implementation <i>policies</i> in the Local Official Plan in accordance with Section 5.3 of the Greenbelt Plan."
79.	139.3.6	A new Section 139.3.6 is added that reads as follows: "139.3.6 Refinements to the boundaries of the Greenbelt Natural Heritage System are not permitted unless as a result of amendments to the Greenbelt Plan but refinements to the boundaries of the <i>Key Features</i> within the Greenbelt Natural Heritage System may be considered in conjunction with the development of detailed implementation <i>policies</i> in the Local Plans."

Item No.	Section	Modifications Since Adoption of ROPA 38 by Council
Part IV Healthy Communities		
80.	141(5)	(Modified only by ROPA 38.)
81.	145(11)	Modified by ROPA 38 and further modified by italicizing the word “watercourses” after the words “health of”.
Part VI Definitions		
82.	216.2 [New Section]	A new Section 216.2 is added that reads: “216.2 AREA-SPECIFIC PLAN means a Local Official Plan Amendment applying to a specific geographic area such as a secondary plan or a Regional Official Plan Amendment applying to a specific geographic area.”
83.	235.1 [New Section]	A new Section 235.1 is added that reads: “235.1 FISH HABITAT means spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes.”
84.	237.	Modified by deleting the Section in its entirety and replacing it with: “237. FLOODPLAIN means, for <i>river, stream, and small inland lake systems</i> , the area, usually low lands adjoining a <i>watercourse</i> , which has been or may be subject to flooding hazards.”
85.	244.	Modified by ROPA 38 and further modified by italicizing the word “river” after the word “along” and further by deleting the word “and” after the word “river,” and further by italicizing the words “stream and small inland lake systems” after the word “river,”.
86.	259.1a)	A new Section 259.1a) is added that reads as follows: “259.1 MINERAL AGGREGATE OPERATIONS means a) lands under license or permit, other than for <i>wayside pits and quarries</i> , issued in accordance with the <i>Aggregate Resources Act</i> , or successor thereto;”
87.	259.1b)	A new Section 259.1b) is added that reads as follows: “259.1 MINERAL AGGREGATE OPERATIONS means b) for lands not designated under the <i>Aggregate Resources Act</i> , establish <i>pits and quarries</i> that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and”

<i>Item No.</i>	<i>Section</i>	<i>Modifications Since Adoption of ROPA 38 by Council</i>
88.	268.	Modified by deleting the number "1994" and replacing it with the number "2013" after the words "Evaluation System".
89.	Map 1 (Urban Area designation and Employment Area overlay only)	(Modified only by ROPA 38.)

SCHEDULE 3

To Board Order Dated _____ for Partial Approval of Regional Official Plan

Explanation

Schedule 3 to this Board Order includes those sections or parts of the Regional Official Plan, whether or not modified by ROPA 38 or other subsequent sources, that are contested by at least one party in response to the Region’s Motion for Partial Approval dated February 7, 2014. This list includes sections or parts of the approved 2006 Plan that have not been modified at all.

Part of Official Plan	Sections
Part I Introduction	
<i>Guide to the Plan</i> Sections 17-24.2	18
Part II Basic Position	
<i>Halton's Planning Vision</i> Sections 25-33	25, 26, 27,27(2), 27(3) 27(4), 29, 30, 33
<i>Planning Horizon</i> Sections 34-35	36
<i>Halton's Regional Structure</i> Sections 50-56	51 (preamble), 51(2), 51(4), 51(2.1), 51(3), 51(5), 51.2, 51.2(1), 51.2(1.1), 51.2(2), 51.2(4), 51.2(6), 52(2), 52(3), 52(4)
Part III Land Stewardship Policies	
<i>Development Criteria</i> Sections 57-70.1	60, 61(3), 63, 63.1, 64, 66 (preamble), 66(1), 66(2), 66(2.1), 66(2.1)a, 66(2.1)b, 66(2.2), 66(3), 70.1
<i>Land Use Designations</i> Section 71	71 (preamble), 71(2), 71(6), 71(8), 71(9)
<i>Urban Area</i> Sections 72 -77	77(5)f.1, 77(5)l, 77(5)p), 77(5)q), 77(7)f)[vii],
<i>Employment Areas</i> Sections 77.1-77.4	77.3, 77.4(6)
<i>Housing</i> Sections 84-86	86(10)
<i>Urban (Water Supply and Wastewater Treatment) Services</i> Sections 87-89	89(1), 89(4)c), 89(6), 89(18), 89(21)e)
<i>Agricultural Area</i> Sections 90-101	91, 99(5), 99(11), 100 (preamble), 100(2), 100(8), 100(9), 100(10), 100(16), 100(21) (preamble), 100(21)a), 100(21)b), 100(21)c), 100(21)d), 100(21)d)[i], 100(21)d)[ii], 100(21)d)[iii], 100(21)d)[iv], 100(21)e), 100(21)e)[i], 100(21)e)[ii], 100(21)e)[iii], 100(21)e)[iv], 100(21)e)[v], 100(21)e)[vi], 100(21)e)[vii], 100(21)e)[viii], 100(22),

Part of Official Plan	Sections
	100(22)a), 100(22)b), 100(22)c), 100(22)d), 100(22)e), 100(22)e)[i], 100(22)e)[ii], 100(22)e)[iii], 100(22)f), 100(22)g), 100(22)h), 100(22)i), 100(22)j), 100(22)k), 100(22)l), 100(22)m), 100(22)n), 100(22)o), 100(22)p), 100(22)q), 100(22)r), 100(22)s),100(22)s)[i], 100(22)s)[ii], 100(22)s)[iii], 101(1.2), 101(1.7), 101(1.8), 101(1.9), 101(4), 101(4)a), 101(4)b), 101(4)c), 101(4)d), 101(4)e), 101(4)f), 101(4)g), 101(4)h), 101(4)i), 101(4)j), 101(4)j)[i], 101(4)j)[ii], 101(4)j)[iii], 101(4)j)[iv], 101(4)j.1), 101(4)k), 101(4)k)[i], 101(4)k)[ii], 101(4)l)
<i>Hamlets and Rural Clusters</i> Sections 102-106	103
<i>Mineral Resource Extraction Areas</i> Sections 107-110	107(1), 107(3.1), 109(3), 109(3)a), 109(4), 109(4)a), 109(4)b), 109(4)c), 109(4)d), 110(3), 110(3.1), 110(3.1)a), 110(3.1)b), 110(3.1)c), 110(5), 110(7.2), 110(7.2)a), 110(7.2)b), 110(7.2)c), 110(7.2)d), 110(7.2)d)A), 110(7.2)d)B), 110(7.2)d)B)[i], 110(7.2)d)B)[ii], 110(7.2)d)B)[iii], 110(7.2)d)B)[iv], 110(7.2)d)B)[v], 110(7.2)d)B)[vi], 110(7.2)d)B)[vii], 110(7.2)d)B)[viii], 110(7.2)d)B)[ix], 110(7.2)d)C), 110(7.2)d)C)[i], 110(7.2)d)C)[ii], 110(7.2)d)C)[iii], 110(7.2)d)C)[iv], 110(7.2)d)C)[v], 110(7.2)d)D), 110(7.2)d)E), 110(7.2)d)F), 110(8), 110(8)a), 110(8)b), 110(8)c), 110(8)c)[i], 110(8)c)[ii], 110(8)c)[iv], 110(8)c)[vi], 110(8)c)[ix], 110(8)e), 110(8.2), 110(9.1), 110(11), 110(14), 110(14)a), 110(14)b), 110(14)c)
<i>Identification of Mineral Resources Areas</i> Sections 111-112	111 (preamble), 111(1), 111(1.1), 111(2), , 112(1), 112(2), 112(2)a), 112(2)b), 112(2)c)
<i>Natural Heritage System</i> Sections 113-114.1	114, 114.1, 114.1(1), 114.1(2), 114.1(3), 114.1(3.1), 114.1(3.2), 114.1(4), 114.1(5), 114.1(6), 114.1(6)a), 114.1(6)b), 114.1(6)c), 114.1(6)d), 114.1(6)e), 114.1(6)f), 114.1(6)g), 114.1(7), 114.1(8), 114.1(9), 114.1(10), 114.1(11), 114.1(12), 114.1(13), 114.1(14), 114.1(15), 114.1(16), 114.1(17), 114.1(18), 114.1(19)
<i>Regional Natural Heritage System</i> Sections 115-132	115, 115.2, 115.2(1), 115.2(2), 115.2(3), 115.3, 115.3(1), 115.3(1)a), 115.3(1)b), 115.3(1)c), 115.3(1)d), 115.3(1)e), 115.3(1)f), 115.3(1)g), 115.3(1)h), 115.3(1)i), 115.3(1)j), 115.3(1)k), 115.3(1)l), 115.3(1)m), 115.3(1) trailing sentence, 115.3(2), 115.3(3), 115.3(4), 115.3(5), 115.3(6), 116.1, 116.1a), 116.1b), 116.1c), 116.1 (trailing paragraph), 117.1, 117.1(1), 117.1(2), 117.1(3), 117.1(4), 117.1(5), 117.1(6), 117.1(7), 117.1(8), 117.1(9), 117.1(10), 117.1(11), 117.1(12), 117.1(13), 117.1(14), 117.1(14)a), 117.1(14)b), 117.1(14)c), 117.1(15), 117.1(16), 117.1(16)a), 117.1(16)b), 117.1(16)c), 117.1(16)d), 117.1(16)d)[i], 117.1(16)d)[ii], 117.1(16)d)[iii], 117.1(16)d)[iv], 117.1(16)e), 117.1(16)e)[i], 117.1(16)e)[ii], 117.1(16)e)[iii], 117.1(16)e)[iv], 117.1(16)e)[v],

Part of Official Plan	Sections
	117.1(16)e)[vi], 117.1(16)e)[vii], 117.1(16)e)[viii], 117.1(16)f), 117.1(16)g), 117.1(16)h), 117.1(17), 117.1(18), 118 (preamble), 118(1), 118(1.1), 118(2), 118(2)a), 118(2)b), 118(2)c), 118(2)d), 118(2.1), 118(2.2), 118(2.2)a), 118(2.2)b), 118(2.2)c), 118(2.2)d), 118(2.2)e), 118(2.2)f), 118(2.2)g), 118(3), 118(3)a), 118(3)b), 118(3)c), 118(3)d), 118(3) trailing paragraph, 118(3.1), 118(3.1)a), 118(3.1)b), 118(3.2), 118(3.3), 118(4), 118(4.1), 118(5), 118(6)b), 118(7), 118(8), 118(9), 118(10), 118(11), 118(13), 118(14), 118(14)a), 118(14)b), 118(14)c), 118(19), 118(20), 118(21), 118(22), 118(23), 118(24), 118(24)a), 118(24)b)
<i>North Aldershot Policy Area</i> Sections 137-139.2	138.1, 139(2), 139(3) (preamble), 139(3)a), 139(3)b), 139(3)c) 139(3)d)
Prime Agricultural Area	139.1 (preamble), 139.1(1), 139.1(2), 139.1(3), 139.1(4), 139.1(5), 139.1(6), 139.1(7), 139.1(8), 139.1(9), 139.1(9)a), 139.1(9)b), 139.1(9)c), 139.1(9)d), 139.1(9)e), 139.1(9)f), 139.1(9)g)
Constraints to Development	
Section 139.3	139.3 (preamble), 139.3(1), 139.3(2), 139.3(3), 139.3(4), 139.3(5), 139.3(6), 139.3(7)
<i>Greenbelt Natural Heritage System</i> Sections 139.3.1-139.3.7	139.3.3, 139.3.3a), 139.3.3b), 139.3.3c), 139.3.3d), 139.3.3e), 139.3.3f), 139.3.4, 139.3.7 (preamble), 139.3.7(1), 139.3.7(2), 139.3.7(3), 139.3.7(3)a), 139.3.7(3)b), 139.3.7(3)c), 139.3.7(3)d), 139.3.7(3)e), 139.3.7(3)f), 139.3.7(3)g), 139.3.7(4) (preamble), 139.3.7(4)a), 139.3.7(4)b), 139.3.7(4.1), 139.3.7(5), 139.3.7(6), 139.3.7(6)[i], 139.3.7(6)[ii], 139.3.7(6)[iii]
<i>Future Strategic Employment Areas</i> Sections 139.6-139.7	139.6, 139.7, 139.7(1), 139.7(2), 139.7(3), 139.7(4)
<i>Prime Agricultural Areas</i> Sections 139.9-139.9.2	139.9, 139.9.1, 139.9.2, 139.9.2(1), 139.9.2(2), 139.9.2(3) (preamble), 139.9.2(3)a), 139.9.2(3)b), 139.9.2(3)c), 139.9.2(3)d), 139.9.2(3)e), 139.9.2(3)f), 139.9.2(3)g), 139.9.2(3) trailing sentence
<i>Identified Mineral Resource Areas</i> Section 139.10	139.10
<i>Key Features Within the Greenbelt and Regional Natural Heritage Systems</i> Sections 139.11-139.12	139.11, 139.12
Part IV Healthy Communities Policies	
Environmental Quality	
<i>Goals and General Policies</i> Sections 140-141	141(2), 141(8)
<i>Air and Ambience</i>	143(9)c), 143(11), 143(12)

Part of Official Plan	Sections
Sections 142-143	
<i>Water</i> Sections 144-145	144(3), 144(5), 144(6), 145(5), 145(6), 145(6)a, 145(6)b, 145(6)c, 145(6)d, 145(6)e, 145(6)f, 145(6)g, 145(6)h, 145(6)i, 145(7), 145(8), 145(9) (preamble), 145(9)a, 145(9)b, 145(9)c, 145(9)d, 145(9)e, 145(9)f, 145(9)g, 145(10), 145(12), 145(17), 145(23)
<i>Land</i> Sections 146-147	146(1), 146(2), 146(3), 146(6), 146(8), 147(2), 147(5)a, 147(5)e, 147(5)f, 147(6)b, 147(6)d, 147(8), 147(9), 147(17)
Human Services	
<i>Transportation</i> Sections 171-173	173(1.2), 173(5.1) (preamble), 173(5.1)c
Part V Implementation	
Plans and the Planning Process	
<i>Conformity of Plans</i> Sections 179-183	180, 182, 183(1)d
<i>Planning and Development Approval</i> Sections 184-187	187(10) (preamble), 187(10)a, 187(10)b, 187(10)c, 187(10)d, 187(10)e, 187(10)f, 187(10)g, 187(10)h, 187(10)i, 187(10)j), 187(10)k, 187(10)l, 187(10)m, 187(10)n, 187(10)o, 187(10)p), 187(10)q, 187(10)r, 187(10)s, 187(10)t, 187(10)u, 187(10) (trailing paragraph)
<i>Guidelines and Advisory Committees</i> Sections 192-195	192 (preamble), 192(1), 192(1.1), 192(1.3), 192(1.4), 192(2), 192(3), 192(4), 192(5), 192(5.1), 192(5.2), 192(6), 192(7), 192(7.1), 192(7.2), 192(8), 192(9), 192(9.1), 192(10), 192(11), 193
Implementation of Special Projects	
<i>Regional Natural Heritage System</i> Sections 200-202	201
Part VI Definitions	
Sections 211-311	212.3 (preamble), 212.3a), 212.3b), 215, 220.1.1, 220.5, 221, 224.1, 225, 226, 226(1), 226(2), 226(3), 227, 228.1, 229.1.1, 230, 233, 234, 249.1, 250, 253.4, 255, 256.2, 259.1, 259.1c), 259.4, 260, 260.1, 260.2, 260.2(1), 260.2(2), 260.2(3), 275.2, 276.4, 276.4(1), 276.4(2), 276.4(3), 276.4(4), 276.4(5), 276.5, 276.5(1), 276.5(2), 276.5(3), 276.5(4), 277, 277(1), 277(2), 277(3), 277(4), 278.1, 282, 288, 288.1, 289.1, 289.2(preamble), 289.2(1), 289.2(2), 289.2(3), 289.2(4), 289.2(5), 289.2(6), 289.2(7), 293, 295
Maps	
	Map 1, Map 1B, Map 1C, Map 1D, Map 1E, Map 1F, Map 1G, Map 3, Map 4

SCHEDULE 4A

To Board Order Dated _____ for Partial Approval of Regional Official Plan

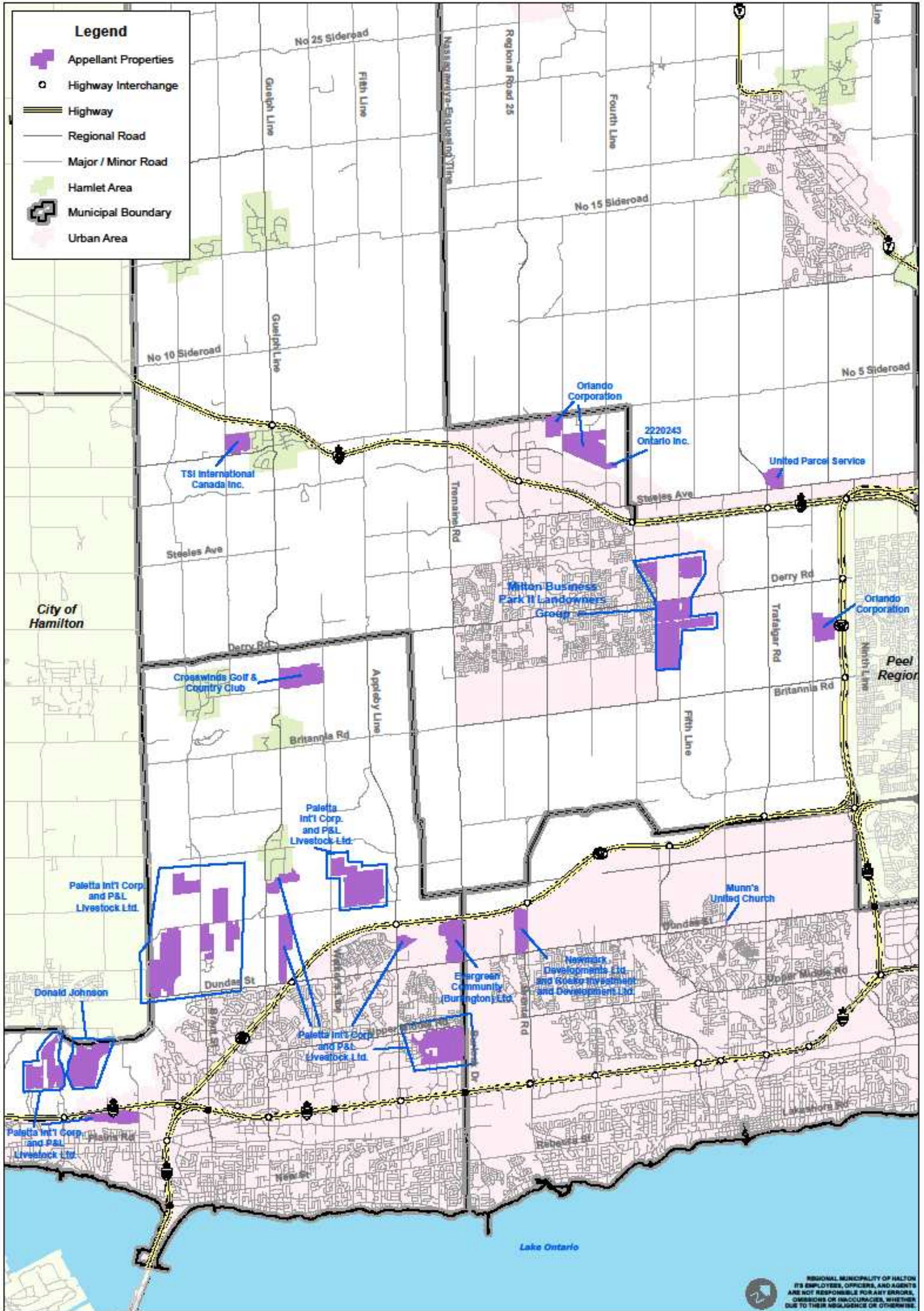
Site Specific or Area Specific Matters

Explanation:

With respect to the following site or area specific matters, approval of the policies, definitions, maps, tables and figures set out in Schedules 1 and 2 is sought subject to the following:

Appellant or Party	Description of Site or Area to Which Appeal Relates	Section or Other Part of Plan Under Appeal on a Site or Area Specific Basis
2220243 Ontario Inc.	Lands municipally known as 8283 Esquesing Line in the Town of Milton	Map 1, 1B to 1G, 3, 4 and 5 52(3), 77(5)q), 115.3
Crosswinds Golf and Country Club (1652152 Ontario Inc.)	To be resolved by the date of exchange of witness statements for Phase 3A/3B.	To be resolved by the date of exchange of witness statements for Phase 3A/3B.
Don Johnson	Properties within the North Aldershot Area owned by 1) Walter Johnson (1761 Old Waterdown Road), 2) Michael Shih (398 Mountain Brow Road), and 3) Sylvia Walker (Rennick Road)	Map 1, 1A, 1F, 1G
Evergreen Community (Burlington) Ltd.	Lands municipally known as 5421, 5453 and 5463 Dundas Street and 3232 Tremaine Road in the City of Burlington	Map 1, Map 1G, any other corresponding mapping, and natural heritage policies (including definitions) affecting the Evergreen property
Milton Business Park II Landowners Group	Approximately 280 hectares (700 acres) of land comprising approximately 50% of the Derry Green Business Park Secondary Plan area, bounded by Highway 401 to the north, James Snow Parkway to the west, a tributary of the 16 Mile Creek to the south and east	Map 1, 1G
Munn's United Church	Lands owned by the Church near the intersection of Dundas Street and Sixth Line in the Town of Oakville	173(5)
Newmark Developments Limited and Rosko Investment and Development Limited	Lands municipally known as 3069 Dundas Street West in the Town of Oakville, comprising the majority of the northwest quadrant of the intersection of Regional Road 25 (Bronte Road) and Dundas Street West, extending up to (and beyond) Highway 407	Newmark's appeal has been scoped to a site-specific basis as noted in Minutes of Settlement dated September 30, 2013.

Orlando Corporation	Lands known as the Milton North Area Lands and the Milton East Area Lands in the Town of Milton (see appeal letter dated December 12, 2011)	Map 1, 1G, Map 5
	Orlando's lands described as being Part Lot 4, Concession 4, Milton which are depicted with a proposed "Agricultural Area" designation	Map 1, 1E, Map 5
	"Employment Area" designated lands within Milton	Map 1, 1C
Paletta International Corporation and P&L Livestock Limited	<p>Lands municipally known as</p> <ul style="list-style-type: none"> • 3151 Dundas St • 3095 Dundas St • 3075 Dundas St • 3050 Guelph Line • 1041 Dundas St • 5164 Upper Middle Road • 5366 Upper Middle Road • 5900 Upper Middle Road • 5470 Upper Middle Road • 5201 Mainway • 3251 Appleby Line • 1200 King Road • 1640 Flatt Road Extension • 1751 Flatt Road Extension • 1664 Waterdown Road • 66 Horning Road <p>in the City of Burlington</p>	18, 27(3) & (4), 51, 51.2, 51.2(4), 60, 64, 66, 71, 77(2.3), 77(15)&(17), 99(5), 99(11), 100(21), 101(1.2), 101(1.8), 101(1.9), 101(4), 114, 114.1(6), 114.1(9), 114.1(12), 115.3, 115.3(2), 116.1, 117.1(16), 118(1.1), 118(2), 118(3), 18(3.2), 118(7), 118(20), 138.1, 139.3.3, 139.3.4, 139.3.7, 139.9.1, 139.12, 141(2), 145(9)(e), 146(1), 146(2), 146(3), 146(6), 147(2), 147(5)(e), 147(5)(f), 183(1)(d), 187(10), 192, 193, 201, 212.3, 215, 220.1.1, 220.5, 221, 224.1, 225, 226, 234, 249.1, 253.4, 256.2, 260.2, 282, 288.1, 295, Map 1, Map 1G
TSI International Canada Inc.	Lands municipally known as 9063 Twiss Road, legally described as Lot 6, Concession 3, in the Town of Milton	Map 1, 1A, 1C, 1D, 1E, 1F, 1G Policies applicable on a site-specific basis which are necessary to pursue the issue of the minor rounding out of the Hamlet of Campbellville to include TSI's lands
United Parcel Services of Canada	Approximately 28.3 hectares (70 acres) of land in the north east quadrant of the intersection of Steeles Avenue and Trafalgar Road, with frontage on Trafalgar Road, Steeles Avenue and Eighth Line in the Town of Halton Hills	77(15), 77(16) and 77(18) including subparagraphs Map 5



REGIONAL MUNICIPALITY OF HALTON
 ITS EMPLOYEES, OFFICERS, AND AGENTS
 ARE NOT RESPONSIBLE FOR ANY ERRORS,
 OMISSIONS OR INACCURACIES, WHETHER
 DUE TO THEIR NEGLIGENCE OR OTHERWISE



Schedule 4B Site Specific or Area Specific Matters

GIS Services
 August 15, 2014
 Produced by Planning and Public Works
 Department Planning and Transportation
 Division, GIS Services, Halton Region ©
 KYGIS Services\Int\PS\PPP\Project\Sustainable
 Halton\SiteSpecificProperties_Comments\Mxd