

***Draft Amendment No. 40***  
***to THE REGIONAL PLAN (2006)***  
*Official Plan for the Halton Planning Area*  
*Regional Municipality of Halton*

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**Servicing Public Uses Outside the  
Urban Area**

June 2010

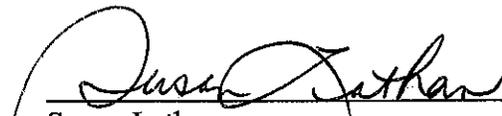
## DECLARATION

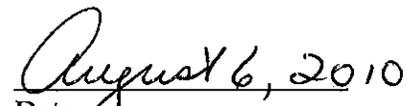
IN THE MATTER OF REGIONAL OFFICIAL PLAN AMENDMENT NUMBER 40

IN THE REGIONAL MUNICIPALITY OF HALTON

I, Susan Lathan, in my capacity as Regional Clerk for the Regional Municipality of Halton, hereby declare that notice of adoption by Council for the Regional Municipality of Halton was given under Section 17(23) of the *Planning Act*, R.S.O. 1990, c.P.13.

There were no appeals to ROPA 40 within the time allowed for appeal. Under Section 17(27) of the *Planning Act*, R.S.O. 1990, c.P.13, Regional Official Plan Amendment Number 40 came into force and effect on August 5, 2010, being the day following the last day for filing a notice of appeal.

  
Susan Lathan  
Regional Clerk  
Regional Municipality of Halton

  
Date

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## THE CONSTITUTIONAL STATEMENT

Part A, The Preamble, does not constitute part of this Amendment.

Part B, The Amendment, consisting of seven items, one which is the addition of four areas eligible for urban servicing to Map of the Regional Official Plan, six of which are the additions of a new subsections to Part III, Land Stewardship, Urban System, section 89(21), one which is the addition of a new subsection to Part III, Land Stewardship, Urban System, section 89, one which is the modification the text of Part III, Land Stewardship, Rural System, section 92(3) and one which is the addition of a definition to Part VI, Definitions, constitutes Amendment No. 40 to the Regional Plan (2006), the Official Plan for Halton Planning Area, Regional Municipality of Halton. The title of Amendment No. 40 is “Servicing Public Uses Outside the Urban Area”.

Part C, The Appendices, does not constitute part of this Amendment.

## PART A THE PREAMBLE

### Purpose

The purpose of this Amendment is to amend the Halton Regional Official Plan (2006) to designate four areas outside the Urban Area as eligible for water and wastewater services. This Amendment will also establish policies to allow the Region to consider Regional Official Plan Amendments to designate new areas as eligible for urban servicing for public uses.

### Location

The amendment applies to all areas of Halton Region excluding the Urban Area. There are four areas in Halton Region that will be eligible for water and wastewater servicing as a result of this amendment. These areas are mapped in Appendix 1.

### Basis

The Halton Regional Official Plan (2006) contains policies that prescribe where municipal water and wastewater services will be provided. Section 89(1) of the Official Plan states that urban services (municipal water and wastewater services) will only be provided within the Urban Area, except where these services are permitted by other policies in the Plan. Section 89(21) lists several specific circumstances outside of the Urban Area where municipal water and wastewater services may be provided.

Report LPS27-10 established criteria and rational for the provision of urban services outside of the urban area. The report is attached as Appendix II.

There are several planned and existing publicly owned facilities located outside of the Urban Area that would benefit from the provision of municipal water and wastewater services, such as the Halton Waste Management Site (HWMS), the Biosolids Management Centre (BMC), the proposed Milton Works Yard, the Robert C. Austin Operations Centre and the Trafalgar Sports Park. All of these facilities are or will be owned and operated by municipal governments.

## PART B THE AMENDMENT

### Introductory Statement

All of this part constitutes Amendment No. 40 to The Regional Plan (2006), the Official Plan for Halton Planning Area, Regional Municipality of Halton.

### Details of the Amendment

The Regional Plan (2006) is amended as follows:

- Item 1           Map 1, The Regional Structure, is amended by designating the following four areas as eligible for *urban services* as shown on Appendix 1:
- The Halton Waste Management Site, municipally known as 5400 Regional Road 25 in the Town of Milton;
  - The Biosolids Management Centre, municipally known as 4449 Regional Road 25 in the Town of Oakville;
  - The Milton Works Yard, municipally known as 5600 Regional Road 25 in the Town of Milton; and
  - The Robert C. Austin Operations Centre, municipally known as 11618 Trafalgar Road and including the Trafalgar Sports   municipally know as 11494 Trafalgar Road in the Town of Halton Hills.
- Item 2           Part III, Land Stewardship Policies, The Urban System, be amended to include a new subsection, 89(21)h), which will state as follows:
- “The Halton Waste Management Site, municipally known as 5400 Regional Road 25 in the Town of Milton.”
- Item 3           Part III, Land Stewardship Policies, The Urban System, be amended to include a new subsection, 89(21)i), which will state as follows:
- “The Biosolids Management Centre, municipally known as 4449 Regional Road 25 in the Town of Oakville.”
- Item 4           Part III, Land Stewardship Policies, The Urban System, be amended to include a new subsection, 89(21)j), which will state as follows:
- “The Milton Works Yard, municipally known as 5600 Regional Road 25 in the Town of Milton.”
- Item 5           Part III, Land Stewardship Policies, The Urban System, be amended to include a new subsection, 89(21)k), which will state as follows:
- “The Robert C. Austin Operations Centre, municipally known as 11618 Trafalgar Road including the Trafalgar Sports Park, municipally known as 11494 in the Town of Halton Hills.”

Item 6 Part III, Land Stewardship Policies, The Urban System, section 89 be amended by adding a new policy 89(25) as follows:

“89(25) Consider adding new locations to the areas eligible for *urban services* as shown on Map 1 provided the following criteria are met::

- a) the proposed use is a *municipal services facility* or is an existing *public use* as of the date that ROPA 40 came into force and effect with an operational connection to one of Regional water or wastewater services; and,
- b) the provision of full, municipal *urban services* does not conflict with this Plan or any Provincial Plans and is deemed technically feasible by the Region; and,
- c) upon approval of :
  - i. a site-specific Region-led amendment if the site fronts on appropriate water and wastewater infrastructure; or,
  - ii. a site-specific proponent-led amendment if the site fronts on one of appropriate water or appropriate wastewater infrastructure; or,
  - iii. a site-specific proponent-led amendment if the site does not front on appropriate water or appropriate wastewater infrastructure.”

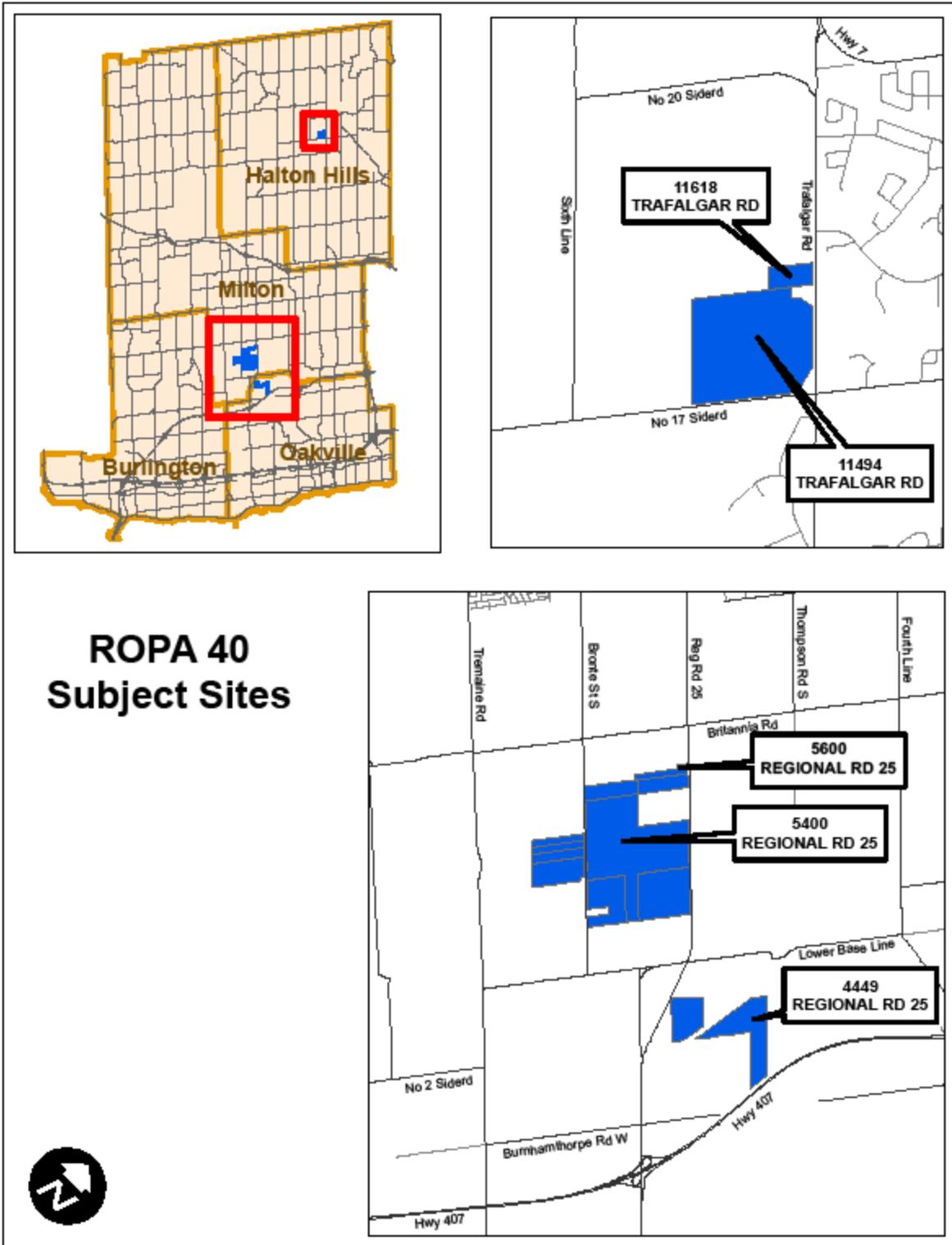
Item 7 Part III, Land Stewardship Policies, The Rural System, policy 92(3) be amended to include the following words after the word “standards”:

“unless otherwise permitted by policies of this Plan,”

Item 8 Part VI, Definitions, be amended by adding a new definition as follows:

“259.1.1 ‘MUNICIPAL SERVICES FACILITY’ means a municipally owned works yard, operations centre, police station or facility, fire station or facility, emergency medical services facility, solid waste management facility or biosolids management facility.”

Map 1 (Map of Sites that would be eligible for Urban Servicing)



## PART C THE APPENDICES

The following Appendix does not constitute part of Amendment No. 40, but is included as information supporting the Amendment.

Appendix I Notice of Public Meeting

Appendix II Report No. LPS27-10/PW-18-10 – Principles for Providing Water and Wastewater Services Outside of the Urban Boundary

## APPENDIX I (Notice of Public Meeting)

The Regional  
Municipality of Halton  
[www.halton.ca](http://www.halton.ca)

NOTICE OF PUBLIC MEETING

**(Under Section 17 of the Planning Act)**

**Proposed Regional Official Plan Amendment No. 40 (ROPA 40)**  
**“Servicing Public Uses Outside the Urban Area”**  
**Applicant: Halton Region**

Halton Regional Council, through its Planning and Public Works Committee, has scheduled a Statutory Public Meeting to provide the public an opportunity to make presentations to the Planning and Public Works Committee with respect to the proposed amendments to the Halton Region Official Plan, 2006, as set out in proposed ROPA 40, pursuant to Section 17 of the Planning Act.

**Date: Wednesday, June 16, 2010**  
**Time: 9:30 a.m.**  
**Location: Halton Room, Halton Regional Centre**  
**1151 Bronte Road, Oakville**

Those wishing to address the Committee should contact the Regional Clerk’s office at 905-825-6000, ext. 7254, prior to June 2, 2010 at 4:30 p.m. in order to be listed as a delegation in the agenda, or you may register with the Clerk prior to the public meeting.

**Purpose and Effect:** The purpose of this amendment is to identify the following four areas as being eligible for water and wastewater services, based on the nature of the public use and location:

- Halton Waste Management Site, 5400 Regional Road 25, Milton
- Biosolids Management Centre, 4449 Regional Road 25, Oakville
- The proposed Milton Works Yard, 5600 Regional Road 25, Milton
- Robert C. Austin Operations Centre, 11618 Trafalgar Road, Halton Hills.

This Amendment will also establish policies to allow the Region to consider Regional Official Plan Amendments to allow additional public uses to be eligible for urban servicing subject to criteria.

**For more information about proposed ROPA 40** contact Sarah Cannon at (905) 825-6000 ext. 7686, toll free at 1-866-442-5866, or at [Sarah.Cannon@halton.ca](mailto:Sarah.Cannon@halton.ca). All information may be viewed at the Office of the Regional Clerk between the hours of 8:30 a.m. and 4:30 p.m. weekdays; by contacting Sarah Cannon, or by visiting the website at [www.halton.ca](http://www.halton.ca). To submit comments, send them in writing to Sarah Cannon, Senior Planner, Halton Region, 1151 Bronte Road, Oakville, Ontario L6M 3L1.

To ensure all comments are considered, the public is invited to provide written submissions on proposed ROPA 40 to Sarah Cannon on or before June 16, 2010. This submission deadline will permit Regional Council to deliberate the adoption of this Amendment on July 14, 2010.

**Note:** If a person or public body does not make oral submissions at a public meeting or make written submissions to The Regional Municipality of Halton before the proposed ROPA 40 is adopted, the person or public body is not entitled to appeal the decision of Halton Regional Council to the Ontario Municipal Board.

If a person or public body does not make submissions at a public meeting or make written submissions to The Regional Municipality of Halton before the proposed ROPA 40 is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party.

If you wish to be notified of the adoption of the proposed Official Plan Amendment, you must make a written request to the Regional Clerk at Halton Region, 1151 Bronte Road, Oakville, Ontario L6M 3L1.

Dated at the Town of Oakville, May 20, 2010.  
Susan Lathan, Regional Clerk

Please let us know as soon as possible if you will have an accessibility or accommodation need at a Halton Region hosted event or meeting.

1151 Bronte Road, Oakville, Ontario L6M 3L1 • Dial 311 or 905-825-6000 • Toll Free 1-866-442-5866  
TTY 905-827-9833 • [www.halton.ca](http://www.halton.ca)

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APPENDIX II (Report No. LPS27-10/PW-18-10 – Principles for Providing Water and Wastewater Services Outside of the Urban Boundary)

Report To:	Chair and Members of the Planning and Public Works Committee
From:	Mark G. Meneray, Commissioner, Legislative and Planning Services and Corporate Counsel Mitch Zamojc, P. Eng., Commissioner, Public Works
Date:	February 11, 2010
Report No. - Re:	LPS27-10/PW-18-10 - Principles for Providing Water and Wastewater Services Outside of the Urban Boundary

### RECOMMENDATION

1. THAT the following three principles for providing municipal water and wastewater services outside of the urban boundary, as outlined in Report No. LPS27-10/PW-18-10, be adopted by Council:
  - a. Allow permanent services, subject to Council approval, without the requirement for a Regional Official Plan Amendment where there is a significant risk to Human Health or the Natural Environment, as a result of large scale failure of water or wastewater services;
  - b. Allow permanent services for existing and future public uses (as defined in the current Official Plan) in areas where:
    - i. the use would not be appropriate in an urban area and
    - ii. the use currently fronts appropriate water and wastewater infrastructure;and that the public uses or areas of public uses eligible for urban services be identified through an approved Regional Official Plan Amendment;
  - c. Allow permanent services upon an approved Regional Official Plan Amendment for existing and future public uses (as defined in the current Official Plan) in situations where the use would not be appropriate in an urban area and the use does not front on appropriate water and wastewater infrastructure.
2. THAT staff be directed to commence a Regional Official Plan Amendment to identify areas of existing uses and proposed public uses that would not be appropriate in urban areas and that front on appropriate water and wastewater infrastructure.
3. THAT the three principles for providing municipal water and wastewater services outside of the urban boundary be incorporated into the Urban Services Guidelines being prepared as part of the implementation of Regional Official Plan Amendment No. 38.

## REPORT

### **Purpose**

The purpose of this report is to obtain Council approval for the establishment of principles for the provision of water and wastewater servicing to very specific public uses for lands outside the urban boundary.

### **Background**

The Halton Regional Official Plan (2006) contains policies that prescribe where municipal water and wastewater services will be provided. Section 89(1) of the Official Plan states that urban services (municipal water and wastewater services) will only be provided within the Urban Area, where services are otherwise permitted by other policies in the Plan. Section 89(21) lists several specific circumstances outside of the Urban Area where municipal water and wastewater services may be provided. Regional Official Plan Amendment No. 38 (ROPA 38) – which was adopted by Council on December 16, 2009 and is currently being reviewed by the Ministry of Municipal Affairs and Housing – contains similar policies.

The Official Plan contains policies that limit the provision of municipal water and wastewater services to urban areas. The primary reason for limiting municipal water and wastewater services to Urban Areas is that it has proven to be an effective way to control development and to manage capital infrastructure.

The Official Plan policies on the provision of municipal water and wastewater services were based on good planning. There have been a number of changes to the Planning Act and the introduction of the Growth Plan for the Greater Golden Horseshoe that enable municipalities to limit urban boundaries and control growth and development, e.g. the requirement for municipal comprehensive reviews for urban boundary expansions, the removal of appeal rights for urban boundary expansions not supported by Council, etc.

### **Provision of Services to Publicly Owned Facilities**

There are several planned and existing publicly owned facilities that would benefit from the provision of municipal water and wastewater services, such as the Halton Waste Management Site (HWMS), the Biosolids Management Centre (BMC), the new Milton Works Yard and the Halton Hills Trafalgar Works Yard. All of these facilities are or will be owned and operated by municipal governments and are located outside of the Urban Area.

#### Halton Waste Management Site

Water is currently available adjacent to the Halton Waste Management Site; however, a connection has not been provided. All domestic water is being brought in by truck. An expansion to the offices is currently underway and as a result a total of 57 staff will be at the location with no domestic water supply.

### Biosolids Management Centre

This facility processes approximately 200,000 cubic metres of biosolids annually. Approximately 90,000 cubic metres of supernatant is trucked from the site each year at a cost of \$568,000 (in 2009). This cost could be avoided if a connection to piped infrastructure was permitted.

### Proposed Milton Works Yard

The Milton work yard is located on Regional Road 25 north of the Halton Waste Management Site. The site is proposed to accommodate the new Milton public works operation centre and will house a number of staff.

### Halton Hills Trafalgar Works Yard

The Halton Hills works yard is located on the west side of Trafalgar Road just outside of the Georgetown urban boundary. This facility was provided with municipal water in 1976. Halton Hills has expressed an interest in obtaining a sanitary sewer connection; however, this is not permitted with the current Regional Official Plan policy framework.

## **Principles for Providing Municipal Water and Wastewater Services Outside the Urban Boundary**

The following principles were developed in accordance with the intent of the original Official Plan policies. As such, the principles will not result in or create development pressures and will maintain Region control over how water and wastewater infrastructure will be provided. It is intended that these principles will be incorporated into the Urban Services Guidelines that are being prepared as part of the implementation of ROPA 38. The principles address situations that may arise throughout Halton, under a variety of circumstances.

### First Principle

The first principle proposes that permanent water and wastewater services will be allowed subject to Council approval, without a Regional Official Plan Amendment (ROPA), where there is a significant risk to human health or the natural environment as a result of a large scale failure of water or wastewater services. Large scale failures are defined as:

- situations that result in an Order from the Ministry of Environment;
- failures that affect fifty per cent or more of the units in a community; or
- failures that affect less than fifty per cent of the unit in a community but that have a significant environmental impact as determined by the Region.

Interim solutions (such as holding tanks) will be considered until such time as long term municipal servicing plans exist for the area in question. The current Official Plan does allow for the provision of services in similar situations as directed by the Medical Officer of Health, where human health is at risk.

## Second Principle

The second principle proposes that permanent water and wastewater services will be permitted for existing and future Public uses, upon approval of a ROPA in situations where the use would not be appropriate in an urban area and where the use is already fronting appropriate water and wastewater services. In this regard, if approved staff will proceed to develop a ROPA to identify public uses or areas of public uses that would be eligible for urban services. This principle was developed to address uses such as the Halton Waste Management Site, the Biosolids Management Centre and the new Milton Works Yard.

## Third Principle

The third principle proposes that permanent water and wastewater services will be allowed, upon approval of a site specific ROPA for existing and future Public uses, in situations where the use would not be appropriate in an urban area and the use does not front on appropriate water and wastewater infrastructure. This principle was developed to address situations where public uses outside of the urban boundary do not front on existing water and wastewater infrastructure such as in the case of the Kelso Conservation Area.

## **Provincial Policy Statement, 2005 (PPS)**

The Provincial Policy Statement requires that planning decisions must be consistent with Provincial policies. In Section 1.6 of the PPS, policies are established for Infrastructure and Public Service Facilities.

- 1.6.1 *Infrastructure and public service facilities* shall be provided in a coordinated, efficient and cost-effective manner to accommodate projected needs.  
Planning for *infrastructure and public service facilities* shall be integrated with planning for growth so that these are available to meet current and projected needs.
- 1.6.2 The use of existing *infrastructure and public service facilities* should be optimized, wherever feasible, before consideration is given to developing new *infrastructure and public service facilities*.
- 1.6.3 *Infrastructure and public service facilities* should be strategically located to support the effective and efficient delivery of emergency management services.  
Where feasible, *public service facilities* should be co-located to promote cost-effectiveness and facilitate service integration.

### **1.6.4 Sewage and Water**

1.6.4.1 Planning for *sewage and water services* shall:

- a) direct and accommodate expected growth in a manner that promotes the efficient use of existing:
  - 1. *municipal sewage services and municipal water services*; and
  - 2. *private communal sewage services and private communal water services*, where *municipal sewage services and municipal water services* are not available;
- b) ensure that these systems are provided in a manner that:
  - 1. can be sustained by the water resources upon which such services rely;

2. is financially viable and complies with all regulatory requirements; and
3. protects human health and the natural environment;
- c) promote water conservation and water use efficiency;
- d) integrate servicing and land use considerations at all stages of the planning process.

1.6.4.5 *Partial services* shall only be permitted in the following circumstances:

- a) where they are necessary to address failed *individual on-site sewage services* and *individual on-site water services* in existing development; and
- b) within *settlement areas*, to allow for infilling and rounding out of existing development on *partial services* provided that:
  1. the development is within the *reserve sewage system capacity* and *reserve water system capacity*; and
  2. site conditions are suitable for the long-term provision of such services.

It is staff's opinion that the three principles recommended for adoption would be consistent with the policies of the PPS.

## **Conclusion**

Planning Services and Public Works staff has worked collectively to develop these three servicing principles, which will enable the Region to provide water and wastewater services to very limited public uses outside of the urban boundary and in appropriate situations. These principles are consistent with the PPS and do not conflict with the Growth Plan for the Greater Golden Horseshoe. These principles uphold the Region's efforts to protect Halton's agricultural and natural areas by controlling growth and meet the Region's objective of ensuring both the efficient uses of service and the economic goals of the Region, by responsibly planning for the construction of infrastructure.

Staff will undertake the preparation of a ROPA for the consideration of Council to identify areas where existing public uses or planned public uses that are not appropriate in urban areas and that front on appropriate water and wastewater services, currently exist.

It is therefore recommended that staff be directed to incorporate the three principles into the Urban Servicing Guidelines to be prepared as part of the implementation of ROPA 38.

## FINANCIAL/PROGRAM IMPLICATIONS

There are no immediate financial implications associated with this report. Any financial implications arising from the application of the three principles will be monitored and incorporated into future budget processes.

## RELATIONSHIP TO THE STRATEGIC PLAN

The three principles for providing municipal water and wastewater services outside of the urban boundary will be incorporated into the Urban Services Guidelines to be prepared as part of the implementation of ROPA 38. As such, this initiative forms part of the 2010 Planning and Public Works Committee Plan Theme 1, Goal 1, Action 1e) – "Complete the Sustainable Halton Plan".

The three principles also support Theme 6 – “Ensure excellence in governance and fiscal responsibility” by giving Regional staff more latitude in determining how to responsibly use municipal resources.

Respectfully submitted,



Ron Glenn MCIP RPP  
Director, Planning Services and Chief Planning  
Official



Mark G. Meneray  
Commissioner, Legislative & Planning Services  
and Corporate Counsel



Mitch Zamojc P.Eng.  
Commissioner, Public Works

Approved by



Pat Moyle  
Chief Administrative Officer

If you have any questions on the content of this report, please contact:

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Sarah Cannon

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