

# TOWN OF HALTON HILLS – GENERAL INFORMATION PACKAGE

## COUNCIL MEETING – July 10, 2023

### ADVISORY/SPECIAL COMMITTEES AND BOARD MEETING MINUTES

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### GENERAL CORRESPONDENCE

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### PASSED RESOLUTIONS

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29-37	HALTON REGION – Resolution passed at its Council meeting held on June 14, 2023 regarding Road Safety and Active Transportation Initiatives.
38-45	HALTON REGION – Resolution passed at its Council meeting held on June 14, 2023 regarding Update on Blue Box Transition.
46-55	HALTON REGION – Resolution passed at its Council meeting held on June 14, 2023 regarding Water Supply Agreement with The Regional Municipality of Peel for Temporary Servicing of Properties in the Premier Gateway Employment Area.
56-60	HALTON REGION – Resolution passed at its Council meeting held on May 24, 2023 regarding Appointment of Integrity Commissioner.
61-81	HALTON REGION – Resolution passed at its Council meeting held on May 24, 2023 regarding 2023 Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Plan Policy Amendments Under Section 34 of the Clean Water Act, 2006.
82-94	HALTON REGION – Resolution passed at its Council meeting held on May 24, 2023 regarding Halton Region’s response to Bill 97: Helping Homebuyers, Protecting Tenants Act, 2023 and the Draft New Provincial Planning Statement (2023).
95-115	HALTON REGION – Resolution passed at its Council meeting held on May 24, 2023 regarding Creation of Halton Digital Access Services Corporation.

- 116-141 HALTON REGION – Resolution passed at its Council meeting held on May 24, 2023 regarding Cootes to Escarpment EcoPark System – Parks Canada Ecological Corridor Pilot Program.
- 142-171 HALTON REGION – Resolution passed at its Council meeting held on May 24, 2023 regarding Halton Developers’ Liaison Committee – Annual Update (2022) and Terms of Reference (2022-2026).
- 172-181 HALTON REGION – Resolution passed at its Council meeting held on May 24, 2023 regarding Halton Tree By-Law and Woodlands Stewardship Program – 2022 Annual Report.
- 182-193 HALTON REGION – Resolution passed at its Council meeting held on May 24, 2023 regarding Regional Planning in a Post-Bill 23 Environment.
- 194-206 HALTON REGION – Resolution passed at its Council meeting held on May 24, 2023 regarding Updated Information on Potential Future Housing Units in the Development Pipeline.
- 207-208 TOWN OF OAKVILLE – Resolution passed at its Council meeting held on May 29, 2023 regarding Halton Digital Access Strategy – Halton Digital Access Services Corporation Final Approval.
- 209-211 MUNICIPALITY OF WEST GREY – Resolution passed at its Council meeting held on June 6, 2023 regarding Highway Traffic Act Amendments.
- 212-213 MUNICIPALITY OF WEST GREY – Resolution passed at its Council meeting held on June 6, 2023 regarding Bell-Hydro Infrastructure.
- 214-215 MUNICIPALITY OF NORTH PERTH – Resolution passed at its Council meeting held on June 5, 2023 regarding Vacant Building Official Positions.
- 216-229 MUNICIPALITY OF NORTH PERTH – Resolution passed at its Council meeting held on June 5, 2023 regarding Proposed New Provincial Policy Statement (PPS).
- 230-233 MUNICIPALITY OF NORTH PERTH – Resolution passed at its Council meeting held on May 15, 2023 regarding Proposed New Provincial Policy Statement (PPS).

**MINUTES OF THE  
ACCESSIBILITY ADVISORY COMMITTEE**

Minutes of the Accessibility Advisory Committee meeting held on Wednesday June 21,  
2023 Via Zoom

Members Present: Councillor M. Albano, Chair, Councillor D. Keene, J. Bray,  
L. McKenzie, J. Pearce, W. Farrow-Reed

Staff Present: R. Brown, Deputy Clerk - Administration

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**1. CALL TO ORDER**

Councillor M. Albano, Chair called the meeting to order at 6:30 pm.

W. Farrow-Reed advised the committee about Challenger Baseball that meets Saturdays at 9 am at Maple Creek Park. Challenger Baseball is for children with different abilities to learn to play baseball. This program runs for 8 weeks.

**2. DISCLOSURE OF PECUNIARY/CONFLICT OF INTEREST**

There were no disclosures of pecuniary or conflict of interest.

**3. RECEIPT OF MINUTES FROM PREVIOUS MEETING**

**3.a Minutes of the Accessibility Advisory Committee Meeting held on  
April 26, 2023.**

Recommendation No. HHAAC-2023-0006

THAT the Minutes of the Accessibility Advisory Committee Meeting held on April 26, 2023 be received.

**CARRIED**

#### **4. SCHEDULED ITEMS FOR DISCUSSION**

##### **4.a Acton Indoor Pool - Request for Funds for Portable Stairs**

J. Neill made a presentation to the committee regarding the need for portable stairs for the Acton Pool. J. Neill advised that the Acton Pool currently has a traditional pool ladder and a chair lift. The chair lift requires staff assistance to use and for program participants that cannot use the traditional stairs, the chair lift lacks dignity and independence. Staff have noticed that some participants that have joint issues and other mobility issues have stopped attending the Acton Pool as there is no independent and/or dignified way for them to get in the pool.

Aquatics staff are requesting funds in the amount \$9,327.92 including taxes and shipping from the Municipal Accessibility Plan Project fund to purchase accessible portable stairs for the Acton Indoor Pool. These stairs will make it easier for participants with mobility issues to enter the pool on their own. As these stairs are removeable they can be taken out and transported to another Town pool if they are required or they can be removed to accommodate swimming competitions.

##### Recommendation No. HHAAC-0007

THAT the Halton Hills Accessibility Committee approves the use of \$9,327.92 from the Municipal Accessibility Plan Project fund to purchase an accessible portable staircase for the Acton Indoor Pool.

**CARRIED**

##### **4.b Hillsview Georgetown Welcome Desk Update**

S. Howard advised the committee that they still have not received an update about the grant application for this project. S. Howard will come to the September meeting with an update.

##### **4.c Multi-Year Accessibility Plan Update**

R. Brown is still finalizing the initial draft of the Multi-Year Accessibility Plan (MYAP). Once completed, R. Brown will circulate to the committee for review and comment.

The committee as a whole will review the draft at the September 13, 2023, meeting. The MYAP will be put on the Town's Let's Talk platform for public comment. All comments will be reviewed, and a finalized draft will be brought to the committee in October for approval and a recommendation to bring it to Council for November.

**5. ITEMS TO BE SCHEDULED FOR NEXT MEETING**

- Multi-Year Accessibility Plan
- Hillsvie Active Living - Georgetown - Welcome Desk Renovation

**6. ADJOURNMENT**

The meeting adjourned at 7:06 p.m.



**HERITAGE HALTON HILLS COMMITTEE  
MINUTES**

Minutes of the Heritage Halton Hills Committee meeting held on Wednesday June 21, 2023 in the Esquesing Room at Town Hall, 1 Halton Hills Drive, Halton Hills, ON.

**Members Present:** Councillor C. Somerville, Chair, Councillor J. Racinsky, L. Quinlan, M. Rowe, R. Denny, A. Walker, T. Brown

**Regrets:** C. Donaldson

**Staff Present:** L. Loney, Senior Heritage Planner, T. Jayaveer Planner Policy/Development Review, B. Parker, Director Planning Policy, L. Bateson, Administrative Coordinator

**Others Present:** B. Mansfield, J. Krebs, D. McClurg

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**1. CALL TO ORDER**

Councillor C. Somerville, Chair called the meeting to order at 4:30 pm

**2. DISCLOSURE OF PECUNIARY/CONFLICT OF INTEREST**

There were no disclosures of pecuniary or conflict of interest.

**3. RECEIPT OF PREVIOUS MINUTES**

**3.a Minutes of the Heritage Halton Hills Committee Meeting held on May 17, 2023.**

Recommendation No. HHH-2023-0018

THAT the Minutes of the Heritage Halton Hills Committee Meeting held on May 17, 2023 be received.

**CARRIED**

**4. SCHEDULED ITEMS FOR DISCUSSION**

**4.a Research and Evaluation Report - 4 Stewarttown Road (Stewarttown)**

L. Loney provided an overview of the attributes and history of the property at 4 Stewarttown Road and the property's significance, recommending designation.

L. Loney answered questions from Donna McClurg and Joe Krebs to help them understand the process and what will happen if their property is designated. They were advised that the process is to go before the Committee then Council for a decision.

L. Loney will provide more information on the OLT (Ontario Land Tribunal) as well as the designation process and future processes for alterations.

The property owners discussed other concerns including the sewer and water connections, foundation work, designation plaques, resale, severances, insurance costing and alterations to the interior. Staff and the heritage committee provided answers as appropriate.

As part of the designation, there is a process to have any changes made. The Heritage Property Grant Program (HPGP) and Heritage Property Tax Refund Program (HPTRP) assist financially in doing the future work. Application must be submitted for the programs. Details on the incentives were provided.

L. Loney advised what the timelines would be after the Committee meeting, to Council July 10<sup>th</sup> for adoption then posted in the paper with a 30-day notice then a by-law. The property owner will be notified as will the Heritage Trust. The property will then be registered on title. The process will take a few months. L. Loney will provide the timeline. There is 30 days to object at Council and an appeal process. L. Loney will map out the appeal process through the OLT for the property owners.

Recommendation No. HHH-2023-0019

THAT Heritage Halton Hills recommend Council designate the property at 4 Stewarttown Road under Part IV of the *Ontario Heritage Act*.

**CARRIED**

#### **4.b Research and Evaluation Report - 533 Main Street (Glen Williams)**

L. Loney advised that the owner was not able to attend but ensured that the letter from Kim McMahon (Appendix A) would be attached to the minutes of the meeting.

L. Loney provided an overview of the letter detailing the concern about viability of a childcare business. Laura noted that interiors are not included with a designation and did discuss details and limitations with the conservation authority (CVC) with the owner. L. Loney will continue to keep the property owner apprised of the process.

Councillor Racinsky will reach out to the property owner after the meeting to discuss advantages to property taxes and incentives.

#### Recommendation No. HHH-2023-0020

THAT Heritage Halton Hills recommend Council designate the property at 533 Main Street under Part IV of the *Ontario Heritage Act*.

**CARRIED**

#### **4.c Research and Evaluation Report - 10996 Trafalgar Road (Stewarttown)**

L. Loney provided an overview of the attributes and history of the property at 10996 Trafalgar Road, Stewarttown Road and the property's significance, recommending designation. L. Loney qualified that this as a landmark and linked to the history of Stewarttown, and strongly recommends designation.

Barbara Mansfield provided information on the property. This is the only Anglican church in Stewarttown, however, there is some confusion that the land was donated by William Morrison and donated to the Methodist Church. The cemetery was officially opened in 1819. The land on property was Methodist not Anglican. Mansfield expressed concern over major construction that has impacted the cemetery in the past. Region taking land access to extend the retaining wall. Hope that a designation will help to protect.

Councillor Sommerville will meet with Regional Staff on the construction and will provide contact information.

L. Loney will contact Barbara after the meeting to make the revisions prior to the July 10<sup>th</sup> Council meeting.

Recommendation No. HHH-2023-0021

THAT Heritage Halton Hills recommend Council designate the property at 10996 Trafalgar Road under Part IV of the *Ontario Heritage Act*.

**CARRIED**

**4.d Heritage Property Grant Program 2022 - Application Review (76 Bower Street, 98 Confederation Street)**

T. Jayaveer provided an update on the properties at 76 Bower Street and 98 Confederation as it relates to the Heritage Property Grant Program applications for 2022.

Recommendation No. HHH-2023-0022

THAT Heritage Halton Hills approve the following applications for the 2022 Heritage Property Grant Program, and that the remaining funds in this year's budget for the program be awarded proportionally to each applicant:

- A. Confederation Street
- B. 76 Bower Street

**CARRIED**

**4.e Recognition of Cox Family Contribution at 98 Confederation Street**

David Kentner asked for an additional plaque to recognize the efforts of Dale and Dave Cox to restore the Barrett Barn. Costs associated with the plaque will be funded from the Heritage Halton Hills committee budget. The plaque details will be sent to the Committee to review.

Recommendation No. HHH-2023-0023

THAT Heritage Halton Hills approve in principle an additional plaque for the property at 98 Confederation Street in recognition of the conservation efforts of Dave and Dale Cox, details for which will be finalized by staff and costs for which will be funded by the

**CARRIED**

**4.f 2023 Cultural Heritage Assistant - Madison Hendricks**

L. Loney provided an update on the Cultural Heritage Assistant, Madison Hendricks will be working with staff until the end of this year.

**5. ITEMS TO BE SCHEDULED FOR NEXT MEETING**

Conference Report

Closed session item to address

Plaques to review

**6. ADJOURNMENT**

The meeting adjourned at 5:46 p.m.



**SITE ALTERATION COMMITTEE  
MEETING**

Minutes of the Site Alteration Committee held on Thursday June 15, 2023, at 3:00 p.m., via Zoom meeting.

**MEMBERS PRESENT:** Councillor Clark Somerville (Chair)  
Councillor Joseph Racinsky  
Ralph Padillo  
David McKeown

**REGRETS:** Bill Allison  
Steven Maltar

**STAFF PRESENT:** Jeff Jelsma, Director of Development Engineering  
Maureen Van Ravens, Director of Transportation  
Susie Spry, Manager of Enforcement Services  
Steve Burt, Development Construction Coordinator  
Nova Bonaldo (Recording Secretary)

**OTHERS PRESENT:** Paul Brown, Paul Brown & Associates Inc.  
Christopher D'Souza, Paul Brown & Associates Inc.  
Jason Sheldon, Remington Group Inc.  
Emma Barron, Remington Group In.

**1. CALL TO ORDER**

**2. DISCLOSURE OF PECUNIARY/CONFLICT OF INTEREST**

Nil.

**3. DELEGATIONS**

- a. SA-23035, Delegation: Paul Brown, Paul Brown & Associates Inc., representing Master Built Homes Inc., Property Owners – 9755 Trafalgar Road, Town of Halton Hills

The Applicant has requested an Exemption to the Site Alteration By-law 2017-0040 and has applied for a Large Scale/Commercial Site Alteration Permit to import approximately 18,000 m<sup>3</sup> (± 1,800 truckloads) of topsoil to be placed in the 2.5 hectare farmyard area and temporarily stockpiled to be spread on the existing field(s).

## **Facts**

Master Built Homes Inc. is going through the Site Plan application process for an 88-unit Adult Lifestyle Community development on vacant lands at the corner of 10 Side Road and Heartwell Road (15651 10 Side Road) in South Georgetown. The 18,000 m<sup>3</sup> of topsoil on the property is from the development in the area and the Applicant would like to dispose the material to 9755 Trafalgar Road to commence underground service installation in the fall.

The property at 9755 Trafalgar Road is a 61.5 hectare (150 acre) agricultural property in the rural area that is mostly workable farmland. Of the 18,000 m<sup>3</sup> of topsoil, approximately 8118 m<sup>3</sup> will be placed in the 2.5 hectare farmyard area at a depth of 0.3 metres to increase the farmable land. The remaining 9880 m<sup>3</sup> will be temporarily stockpiled and then spread on the existing fields after harvest has been completed in the fall. The material has recently been retested and it meets the Table 1 requirements of the Ministry of Environment. There will be no work completed near the area regulated by a Conservation Authority.

## **Analysis and Discussion**

The Applicant thanked Town staff for their collaboration on the application. The Applicant indicated the Site Plan application process is almost complete and the topsoil will need to be removed prior to commencing the works. The existing driveway on the property of 9755 Trafalgar Road travels over a small drainage feature that has a culvert. The driveway leads up to a farmhouse that is occupied. Behind the home there is the remanence of a barn and outbuilding that were demolish approximately ten years ago. The topsoil will be placed in this area behind the home to increase the farmable land on the property. This area is not a low spot on the property. The temporary stockpile will be placed adjacent to the area then spread over 10 acres of farmland after the winter wheat has been harvested in the fall. The Applicant indicated to staff that the required fee and Letter of Credit are accepted.

Councillor Somerville spoke with a member of the agricultural community and agreed that the spreading of the stockpile is best to do after the harvest in the fall. Mentioned that this application is a prime example of improving agricultural land and why the Town has a Site Alteration By-law. Also, using soil from within the Town is favorable.

The farmer currently renting the farmland for cash crops is agreeable to the importation of the topsoil and will assist to ensure that the final product is satisfactory to farm the land.

The haul route will be across 10 Side Road to Trafalgar Road to the property. The Applicant will respect the hours of operation as per the Site Alteration By-law 20107-0040 and will not request to change the hours. They will be respectful to the neighbours and be efficient to complete the work as soon as possible. A sweeper and flusher will be on site to clean the road.

## **Conclusion**

The Site Alteration Committee supports the application as the works will improve the agricultural land.

### Recommendation No. SA-2023-0001

THAT the Site Alteration Committee supports the Application for a Large Scale/Commercial Site Alteration Permit at 9755 Trafalgar Road, subject to the following conditions;

1. The applicant satisfies the Terms and Conditions in Schedules B and C of By-law No. 2017-0040 as applicable;
2. The applicant provides the administration fee in the amount of \$5,947.29;
3. The applicant provides refundable securities in the amount of \$25,000.00;
4. The applicant provides notice to Town Staff when the placement of fill commences in the fall of 2023; and
5. The applicant agrees that no fill will be placed within 15 meters of any areas regulated by the Conservation authority.

AND FURTHER THAT the Site Alteration Committee supports the works, subject to the applicant meeting all conditions to the satisfaction of staff.

CARRIED

## **4. ITEMS TO BE SCHEDULED FOR NEXT MEETING**

N/A

## **5. ADJOURNMENT**

The meeting adjourned at 3:25 p.m.



## COMMITTEE OF ADJUSTMENT MINUTES

Minutes of the Committee of Adjustment hearing held on **May 9, 2023**, at 6 p.m. via Zoom.

Members Present: Todd Jenney (Chair), Jane Watson, Lloyd Hillier, Keith Medenblik, Jason Smith

Staff Present: Ruth Conard, Planner  
Greg Macdonald, Senior Planner  
Tharushe Jayaveer, Planner  
Niloo Hodjati, Secretary-Treasurer, Committee of Adjustment & Consent Official

- 1. CALL TO ORDER**
- 2. DISCLOSURE OF PECUNIARY/CONFLICT OF INTERES**

None.

### **3. APPLICATIONS HEARD**

The Chair's comments about the procedure were as follows:

- Town staff would speak.
- Owner or agent would be given an opportunity to speak.
- Any members of the public would be given an opportunity to speak (owner or agent would have an opportunity to respond, if needed).
- The Committee would then deliberate, ask any questions, and make a decision.
- A decision would be subject to a 20-day appeal period.

#### **a) Minor Variance D13VAR23.013H – Heilman**

**Location:** 11408 22 Side Road, Town of Halton Hills (Limehouse), Regional Municipality of Halton

**Purpose:** Requesting relief from Zoning By-law 2010-0050, as amended,

- 1.** To increase the height of an accessory structure from the maximum 4.5 m to permit a height of 5.3 m.

2. To increase the floor area of an accessory structure from the maximum 40 sq m to permit a floor area of 140 sq m.
3. To increase the total floor area of all accessory structures from the maximum 60 sq m to permit a total floor area of 183.2 sq m.

**To accommodate a proposed accessory structure.**

**Owner(s):** Dennis Heilman

The Town Planner noted no staff objections to approval, subject to condition. The owner was present to speak to the application.

Committee deliberations included: preservation of trees, and received public comments in support of the proposal.

It was MOVED by Keith Medenblik, SECONDED, and CARRIED

THAT the application be approved, subject to condition.

The Committee considered the requested variance(s) to:

1. Meet the intent and purpose of the Official Plan.
2. Meet the intent and purpose of the Zoning By-law.
3. Be desirable for the appropriate use of the land, building or structure.
4. Be minor in nature.

**b) Minor Variance D13VAR23.014H – Halton Region Police Station**

**Location:** Steeles Avenue/Sixth Line, Town of Halton Hills (Premier Gateway), Regional Municipality of Halton

**Purpose:** Requesting relief from Zoning By-law 00-138, as amended,

1. To permit 41% of the required parking spaces (56 spaces) to be located in a yard abutting Steeles Avenue, whereas the By-law permits 20% of the required parking spaces (28 spaces) to be located in a yard abutting Steeles Avenue.
2. To reduce the number of loading spaces from the minimum 3, to permit 0 loading spaces.

**To accommodate a proposed police station.**

**Owner(s):** Regional Municipality of Halton (Mark Hassen), **Agent:** AECOM Canada, Jeffrey Merkus

The Town Planner noted no staff objections to approval. The owner, agent, and consultant (Jason Chiu) were present to speak to the application.

Committee deliberations included: error in report referencing accessory storage, landscaping requirements, and vehicular traffic.

It was MOVED by Todd Jenney, SECONDED, and CARRIED

THAT the application be approved.

The Committee considered the requested variance(s) to:

1. Meet the intent and purpose of the Official Plan.
2. Meet the intent and purpose of the Zoning By-law.
3. Be desirable for the appropriate use of the land, building or structure.
4. Be minor in nature.

**c) Minor Variance D13VAR23.015H – Sharmeen**

**Location:** 13425 Highway 7, Town of Halton Hills (Henderson’s Corners), Regional Municipality of Halton

**Purpose:** Requesting relief from Zoning By-law 2010-0050, as amended,

1. To reduce the front yard setback from the minimum 7.5 m to permit a front yard setback of 7.04 m.
2. To increase the height of an accessory structure from the maximum 4.5 m to permit a height of 4.85 m.
3. To increase the floor area of an accessory structure from the maximum 40 sq m to permit a floor area of 74 sq m.
4. To increase the total floor area of all accessory structures from the maximum 60 sq m to permit a total floor area of 74 sq m.

**To accommodate a proposed addition to the dwelling and a detached garage.**

**Owner(s):** Sadoon Mohiuddin & Iqra Sharmeen, **Agent:** Imran Khan

The Town Planner noted no staff objections to approval, subject to conditions. The owner and agent were present to speak to the application.

It was MOVED by Lloyd Hillier, SECONDED, and CARRIED

THAT the application be approved, subject to conditions.

The Committee considered the requested variance(s) to:

1. Meet the intent and purpose of the Official Plan.
2. Meet the intent and purpose of the Zoning By-law.
3. Be desirable for the appropriate use of the land, building or structure.

4. Be minor in nature.

**d) Minor Variance D13VAR23.016H – Van Dongen**

**Location:** 9268 Fifth Line, Town of Halton Hills (Esquesing), Regional Municipality of Halton

**Purpose:** Requesting relief from Zoning By-law 2010-0050, as amended,

1. To increase the distance between the farm employee accommodation and the detached dwelling from the maximum 30 m to permit an 84 m distance.

**To accommodate a proposed farm employee accommodation building.**

**Owner(s):** Adrian & Agnes Van Dongen **Agent:** Michael Van Dongen

The Town Planner noted no staff objections to approval, subject to condition. The owner and agent were present to speak to the application.

It was MOVED by Jane Watson, SECONDED, and CARRIED

THAT the application be approved, subject to condition.

The Committee considered the requested variance(s) to:

1. Meet the intent and purpose of the Official Plan.
2. Meet the intent and purpose of the Zoning By-law.
3. Be desirable for the appropriate use of the land, building or structure.
4. Be minor in nature.

**e) Minor Variance D13VAR23.017H – Brar**

**Location:** 9562 Sixth Line, Town of Halton Hills (Esquesing), Regional Municipality of Halton

**Purpose:** Requesting relief from Zoning By-law 2010-0050, as amended,

1. To increase the height of the dwelling from the maximum 11 m to permit a height of 11.44 m.
2. To increase the width of a driveway in the front yard from the maximum 6.1 m (when a garage door used for motor vehicle access faces an interior side lot line), to permit a width in the front yard of 11.61 m.
3. To increase the floor area of an accessory structure from the maximum 80 sq m to permit two cabanas each with a floor area of 84.26 sq m.
4. To increase the total floor area of all accessory structures from the maximum 120 sq m to permit a total floor area of 242.2 sq m.

**To accommodate a proposed dwelling, and 3 accessory structures (2 cabanas and 1 gazebo).**

**Owner(s):** Gurjinder Brar, **Agent:** Ian Robertson Design, Michael Grisch

The Town Planner noted no staff objections to approval, subject to conditions. The agent was present to speak to the application.

It was MOVED by Lloyd Hillier, SECONDED, and CARRIED

THAT the application be approved, subject to conditions.

The Committee considered the requested variance(s) to:

1. Meet the intent and purpose of the Official Plan.
2. Meet the intent and purpose of the Zoning By-law.
3. Be desirable for the appropriate use of the land, building or structure.
4. Be minor in nature.

**f) Minor Variance D13VAR23.018H – Conestoga Cold Storage**

**Location:** 16408 Steeles Avenue, Town of Halton Hills (Premier Gateway), Regional Municipality of Halton

**Purpose:** Requesting relief from Zoning By-law 2010-0050, as amended,

1. To reduce the number of parking spaces from the minimum 367, to permit 110 parking spaces.
2. To permit 100% of the required parking spaces (110 spaces) to be located in a yard abutting Steeles Avenue, whereas the By-law permits 20% of the required parking spaces (22 spaces) to be located in a yard abutting Steeles Avenue.
3. To reduce the landscape strip along Tenth Line from the minimum 3 m to permit a 0 m landscape strip.

**To accommodate a proposed warehouse.**

**Owner(s):** 2793524 Ontario Inc., Brian Beech, **Agent:** Wellings Planning Consultants Inc., Glenn Wellings

The Town Planner noted no staff objections to approval, subject to conditions. The agent, owner (including Gavin Sargeant), and consultant (Vivian Patel) were present to speak to the application.

Committee deliberations included: parking justification, future parking needs, number of shifts, automation, and future phases of site development.

It was MOVED by Jane Watson, SECONDED, and CARRIED

THAT the application be approved, subject to conditions.

The Committee considered the requested variance(s) to:

1. Meet the intent and purpose of the Official Plan.
2. Meet the intent and purpose of the Zoning By-law.
3. Be desirable for the appropriate use of the land, building or structure.
4. Be minor in nature.

**4. ADJOURNMENT**

Adjourned at approximately 6:50 p.m.



June 29, 2023

### **In This Issue**

- MPAC Board positions - Call for expressions of interest.
- Anti-Hate Security and Prevention Grant program.
- Input sought on revisions to Cannabis Standards.
- Off-road vehicle consultation.
- Electrification and Energy Transition Panel - Call for feedback.
- Register for the AMO 2023 Annual General Meeting and Conference.
- Councillor training: Fall dates.
- AMO-OFIFC Indigenous Community Awareness: November limited availability.
- Human Rights and Equity Training: November workshop.
- LAS & IPE 2023 Risk Symposium, October 4-5, Casino Rama Orillia.
- Registration for AMO-LAS Energy Symposium is now open!
- Mini workshop: Uncovering Savings in Water/Wastewater Plants.
- Careers: AMO, OPS, York Region, Kawartha Lakes, Deseronto, and OCWA.

### **AMO Matters**

AMO has issued a call for expression of interests for building the AMO 2024 list of nominees for the Municipal Property Assessment Corporation (MPAC) Board of Directors. [Applications are due June 30.](#)

### **Provincial Matters**

The Ontario government is investing \$25.5 million to help address the rise of hate incidents against religious and minority groups. The [grant will provide](#) up to \$10,000 to help religious groups, Indigenous communities and cultural communities better protect and secure their facilities from hate-motivated incidents, graffiti, vandalism or other damage.

The Alcohol and Gaming Commission of Ontario (AGCO) is looking for input on proposed revisions to the Registrar's Standards for Cannabis Retail Stores. The deadline is July 11. [Register](#) to provide feedback.

The Ministry of Transportation is seeking feedback on Off-Road Vehicle safety enhancement proposals in a session on July 17. Materials will be distributed in advance. To register email [kemar.palmer@ontario.ca](mailto:kemar.palmer@ontario.ca).

Organizations are invited to provide submissions to the [Electrification and Energy Transition Panel](#) via email at [energypanel@ontario.ca](mailto:energypanel@ontario.ca) until June 30 at 5:00 pm. Feedback will inform the Panel's report to the Minister of Energy.

### **Eye on Events**

AMO is excited about this year's Conference hosted by the City of London at RBC Place London and DoubleTree by Hilton, August 20-23. View the preliminary [program](#) and [register](#) now for this important event.

Secure your spot in AMO's iconic councillor training this fall. This training provides councillors in all stages of their careers information, insights, and the necessary tools to be an effective local leader. [Register today](#).

Building on the Memorandum of Understanding (MOU) shared by AMO and the Ontario Federation of Indigenous Friendship Centres (OFIFC), we are offering training to help build indigenous cultural competency in municipal government. [Register](#) for the November 27 training - limited availability.

Understanding your role and responsibilities as an elected official when it comes to [Human Rights & Equity](#) is critical. This training examines your legislative responsibilities and understanding what equity means and how it can be implemented. [Register today](#) to build your knowledge in these complex areas.

Join Local Authority Services (LAS) and Intact Public Entities (IPE) in discussion on Navigating the Road to Resilience in examination of critical municipal risk issues such as climate resiliency, cyber security, risk data management and more. [Register today](#) as space is limited. Deadline to Register: September 27.

The Association of Municipalities of Ontario (AMO) and Local Authority Services (LAS) are pleased to be hosting the 2023 Municipal Energy Symposium on November 2- 3 at the Novotel Centre Toronto. [Registration](#) is now open. Space is limited.

## **LAS**

LAS and Stephen Dixon are hosting a 1-hr virtual mini workshop on July 19 at 10am. Find out how to determine energy savings potential at your Water/Wastewater Treatment Plants using RETScreen Expert. Attendees receive a 14-day RETScreen trial license. [Register here](#).

## **Careers**

[Senior Manager, Policy - AMO](#). This is a leadership role as a key contributor to AMO's overall policy and government relations strategy and activities. Submit cover letter and CV via confidential email to: [careers@amo.on.ca](mailto:careers@amo.on.ca), subject: Senior Manager, Policy by July 7.

[Senior Advisor - AMO](#). Advise Senior Management and Board of Directors on policy and government relations strategies related to housing, LUP and natural resource / environmental management. Submit cover letter and CV via confidential email to: [careers@amo.on.ca](mailto:careers@amo.on.ca), subject: Senior Advisor by July 7.

[Senior Policy Advisor - Ministry of Education](#). Experienced policy professionals to lead education policy and program analysis, working across the ministry and education sector. Please [apply online only](#), by July 7.

[Investigator Analyst-Unilingual \(English\) and Bilingual \(English/French\) - Ministry of Labour, Immigration, Training and Skills Development](#). A role providing strong analytical and attention to detail skills to evaluate immigration applications. Please [apply online only](#), by July 10.

[Director, Strategies and Partnerships - York Region](#). Responsible for providing leadership and direction to management and staff to shape policy and programs. Applicants are encouraged to [apply online only](#), by July 12.

Manager, Roads Operations - City of Kawartha Lakes. Leads field operations of municipal roads in accordance with approved levels of performance and accounting principles. Interested applicants, please [apply online](#) by July 16.

Municipal Manager/Clerk - Town of Deseronto. Responsible for to overseeing and directing the administration of municipal services consistent with government regulations and by-laws. Apply to [joe@palmercareers.com](mailto:joe@palmercareers.com) by July 19.

President and Chief Executive Officer - Ontario Clean Water Agency. Provide executive leadership and strategic direction and champion Ontario as a leader in the development and provision of sustainable clean water technologies, services, and innovative water solutions. Apply to [careers@waterhousesearch.net](mailto:careers@waterhousesearch.net) by July 14.

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### About AMO

AMO is a non-profit organization representing almost all of Ontario's 444 municipal governments. AMO supports strong and effective municipal government in Ontario and promotes the value of municipal government as a vital and essential component of Ontario's and Canada's political system. Follow [@AMOPolicy](#) on Twitter!

### AMO Contacts

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June 22, 2023

### **In This Issue**

- MPAC Board positions - Call for expressions of interest.
- EnAbling Change Program funding opportunity.
- Electrification and Energy Transition Panel - Call for feedback.
- Support for Municipal Disability Management Programs.
- Register for the AMO 2023 Annual General Meeting and Conference.
- Councillor training: Fall dates.
- AMO-OFIFC Indigenous Community Awareness: November limited availability.
- Human Rights and Equity Training: November workshop.
- LAS & IPE 2023 Risk Symposium, October 4-5, Casino Rama Orillia.
- Registration for AMO-LAS Energy Symposium is now open!
- Blog: My Journey to Net Zero Emissions.
- LAS lighting solutions for your sports fields.
- Canoe vendor spotlight: Rubicon.
- Share with your first responder services: PSPNET Families.
- Bereavement Authority of Ontario increases its renewal fees.
- Careers: AMO, Highland Shores Children's Aid and Ministry of Labour.

### **AMO Matters**

AMO has issued a call for expression of interests for building the AMO 2024 list of nominees for the Municipal Property Assessment Corporation (MPAC) Board of Directors. [Applications are due June 30.](#)

### **Provincial Matters**

The Ontario government is providing up to \$1.5 million through the 2023-2024 [EnAbling Change Program](#) for accessibility projects. Applications for this funding are open until June 29.

Organizations are invited to provide submissions to the [Electrification and Energy Transition Panel](#) via email at [energypanel@ontario.ca](mailto:energypanel@ontario.ca) until June 30 at 5:00 pm. Feedback will inform the Panel's report to the Minister of Energy.

### **Federal Matters**

A free assessment of disability management programs is available until June 2024. The assessment involves an interview and produces a report. For details, visit the National Institute of Disability Management and Research [website](#).

### **Eye on Events**

AMO is excited about this year's Conference hosted by the City of London at RBC Place London and DoubleTree by Hilton, August 20-23. View the preliminary [program](#) and [register](#) now for this important event.

Secure your spot in AMO's iconic councillor training this fall. This training provides

councillors in all stages of their careers information, insights, and the necessary tools to be an effective local leader. [Register today](#).

Building on the Memorandum of Understanding (MOU) shared by AMO and the Ontario Federation of Indigenous Friendship Centres (OFIFC), we are offering training to help build indigenous cultural competency in municipal government. [Register](#) for the November 27 training - limited availability.

Understanding your role and responsibilities as an elected official when it comes to [Human Rights & Equity](#) is critical. This training examines your legislative responsibilities and understanding what equity means and how it can be implemented. [Register today](#) to build your knowledge in these complex areas.

Join Local Authority Services (LAS) and Intact Public Entities (IPE) in discussion on Navigating the Road to Resilience in examination of critical municipal risk issues such as climate resiliency, cyber security, risk data management and more. [Register today](#) as space is limited. Deadline to Register: September 27.

The Association of Municipalities of Ontario (AMO) and Local Authority Services (LAS) are pleased to be hosting the 2023 Municipal Energy Symposium on November 2- 3 at the Novotel Centre Toronto. [Registration](#) is now open. Space is limited.

## **LAS**

LAS' Municipal Program Specialist [writes about how he achieved net zero emissions](#) during his past employment with a municipality, and how he's doing his part as a resident.

Did you know LAS offers lighting solutions for your sports fields and ball diamonds? [Contact Christian](#) to learn how our turn-key [Facility Lighting Service](#) can help with your LED upgrade.

Looking for a solution for your heavy-duty fleets? LAS welcomes Rubicon to the [Fleet Management](#) category under the Canoe Procurement Group. They provide telematics, fleet optimization, work order management, and more for your heavy-duty vehicles. [Contact Sarah](#) to learn more.

## **Municipal Wire\***

[PSPNET Families](#) is a free online resource that provides information and strategies to help first responder families navigate daily life. Please share with your first responder services!

On July 1, the The Bereavement Authority of Ontario [BAO](#) is increasing operator licensing renewal fees to \$30 per interment, scattering, cremation, death registration, including under social services programs, per its [Notice to the Profession](#).

## **Careers**

[Senior Manager, Policy - AMO](#). This is a leadership role as a key contributor to AMO's overall policy and government relations strategy and activities. Submit cover letter and CV via confidential email to: [careers@amo.on.ca](mailto:careers@amo.on.ca), subject: Senior Manager, Policy by July 7.

[Senior Advisor - AMO](#). Advise Senior Management and Board of Directors on policy and government relations strategies related to housing, LUP and natural resource / environmental management. Submit cover letter and CV via confidential email

to: [careers@amo.on.ca](mailto:careers@amo.on.ca), subject: Senior Advisor by July 7.

Executive Director - Highland Shores Children's Aid. Lead the organization in achieving mission to enhance the lives of children and youth. Apply to [careers@highlandshorescas.com](mailto:careers@highlandshorescas.com) by June 26.

Occupational Health and Safety Inspector – Health Care - Ministry of Labour, Immigration, Training and Skills Development. Enforce the *Occupational Health and Safety Act*, including the workplace harassment provisions and the Act's regulations. Apply online by July 13.

Occupational Health and Safety Inspector – Industrial - Ministry of Labour, Immigration, Training and Skills Development. Enforce the *Occupational Health and Safety Act*, including the workplace harassment provisions and the Act's regulations. Apply online by July 13.

Occupational Health and Safety Inspector – Construction - Ministry of Labour, Immigration, Training and Skills Development. Enforce the *Occupational Health and Safety Act* and its regulations. Apply online by July 13.

#### About AMO

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#### AMO Contacts

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June 15, 2023

### **In This Issue**

- MPAC Board positions - Call for expressions of interest.
- Electrification and Energy Transition Panel - Call for feedback.
- Register for the AMO 2023 Annual General Meeting and Conference.
- Councillor training: Fall dates.
- AMO-OFIFC Indigenous Community Awareness: November limited availability.
- Human Rights and Equity Training: November workshop.
- AMO webinar: Meet the Partners!
- New incentives for your lighting projects!
- Canoe vendor spotlight: Generac.
- Careers: Ministry of Finance, Simcoe, and Elliot Lake.

### **AMO Matters**

AMO has issued a call for expression of interests for building the AMO 2024 list of nominees for the Municipal Property Assessment Corporation (MPAC) Board of Directors. [Applications are due June 30.](#)

### **Provincial Matters**

Organizations are invited to provide submissions to the [Electrification and Energy Transition Panel](#) via email at [energypanel@ontario.ca](mailto:energypanel@ontario.ca) until June 30 at 5:00 pm. Feedback will inform the Panel's report to the Minister of Energy.

### **Eye on Events**

AMO is excited about this year's Conference hosted by the City of London at RBC Place London and DoubleTree by Hilton, August 20-23. [View the preliminary program](#) and [register](#) now for this important event.

Secure your spot in AMO's iconic councillor training this fall. This training provides councillors in all stages of their careers information, insights, and the necessary tools to be an effective local leader. [Register today.](#)

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Understanding your role and responsibilities as an elected official when it comes to [Human Rights & Equity](#) is critical. This training examines your legislative responsibilities and understanding what equity means and how it can be implemented. [Register today](#) to build your knowledge in these complex areas.

AMO's Digital Service partners are technology leaders who want to share their solutions to encourage the digital transformation of municipal

administration/operations and help you discover process efficiencies. Register today and learn more about their offerings over 2 lunch and learn sessions on [June 15](#) and [June 22](#) at 12pm.

## **LAS**

Are you considering LED upgrades at your municipal facilities? They may qualify for new incentives. IESO's [custom track incentives](#) have returned offering \$0.13/kWh or \$1200/kW in some cases! Contact [Christian Tham](#) to find out how you can take advantage of these through the [LAS Facility Lighting Service](#).

Need back-up power for your buildings? We're pleased to welcome Generac to the [Electrical Energy Power Generation](#) category. Save time and money while keeping your critical facilities operating when you need them. [Contact Sarah](#) to learn more.

## **Careers**

[Assistant Deputy Minister - Ministry of Finance](#). Provide advice on policy, legislation and operational initiatives that support the government's strategic objectives. [Apply online](#) by June 21.

[Policy & Committee Coordinator - County of Simcoe](#). Develop, coordinate, and maintain a corporate policy framework (policies, procedures and work instructions). [Apply online](#) by June 30.

[Planner III - County of Simcoe](#). Assemble and analyse information and prepare recommendations regarding planning and development applications. [Apply online](#) by June 30.

[Chief Administrative Officer - City of Elliot Lake](#). Seeking an innovative leader with great people skills who is able to collaborate, make decisions, communicates well, able to prioritize and manage change. Apply to [la@tdobbie.com](mailto:la@tdobbie.com) by June 30.

[Deputy Treasurer - City of Elliot Lake](#). General management of the Treasury Department, including tax collection, development of the annual corporate budget, financial reporting requirements. Apply to [la@tdobbie.com](mailto:la@tdobbie.com) by June 30.

[Chief Building Official - City of Elliot Lake](#). Responsible for examining plans, building, and plumbing inspections, and issuing permits. Apply to [la@tdobbie.com](mailto:la@tdobbie.com) by June 30.

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## **About AMO**

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VIA EMAIL

June 19, 2023

Legislative & Planning Services  
Department  
Office of the Regional Clerk  
1151 Bronte Road  
Oakville ON L6M 3L1

Kevin Arjoon, City Clerk, City of Burlington  
Meaghan Reid, Town Clerk, Town of Milton  
Vicki Tytaneck, Town Clerk, Town of Oakville  
Valerie Petryniak, Town Clerk, Town of Halton Hills

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Please be advised that at its meeting held Wednesday, June 14, 2023, the Council of the Regional Municipality of Halton adopted the following resolution:

**RESOLUTION: PW-20-23 - Road Safety and Active Transportation Initiatives (R2314A)**

1. THAT staff be authorized to undertake a project to advance designs for active transportation for gaps and opportunities related to road safety and active transportation to an upset limit of \$400,000, as outlined in Report No. PW-20-23, re: "Road Safety and Active Transportation Initiatives (R2314A)".
2. THAT the Regional Clerk forward a copy of Report No. PW-20-23 to the City of Burlington, the Town of Halton Hills, the Town of Milton, and the Town of Oakville for information.

Included please find a copy of Report No. PW-20-23 for your information. If you have any questions please contact me at the e-mail address below.

Sincerely,

Graham Milne  
Regional Clerk  
[graham.milne@halton.ca](mailto:graham.milne@halton.ca)

**Regional Municipality of Halton**

HEAD OFFICE: 1151 Bronte Rd, Oakville, ON L6M 3L1  
905-825-6000 | Toll free: 1-866-442-5866



**The Regional Municipality of Halton**

Report To:	Regional Chair and Members of Regional Council
From:	Andrew Farr, Commissioner, Public Works
Date:	June 14, 2023
Report No:	PW-20-23
Re:	Road Safety and Active Transportation Initiatives (R2314A)

**RECOMMENDATION**

1. THAT staff be authorized to undertake a project to advance designs for active transportation for gaps and opportunities related to road safety and active transportation to an upset limit of \$400,000, as outlined in Report No. PW-20-23, re: "Road Safety and Active Transportation Initiatives (R2314A)".
2. THAT the Regional Clerk forward a copy of Report No. PW-20-23 to the City of Burlington, the Town of Halton Hills, the Town of Milton, and the Town of Oakville for information.

**REPORT**

**Executive Summary**

- The transportation system serving Halton Region is multi-modal, comprised of Provincial, Regional and Local Municipal infrastructure. All elements of the system are interconnected and play a role in the provision of healthy and safe communities and supporting active lifestyles.
- At the Regional Council meeting of Wednesday, January 25, 2023, a resolution was approved by Regional Council regarding road safety and active transportation which stated "THAT Staff be directed to report back to Council in 2023 with opportunities and benefits of accelerating projects within the 10-year program" (Attachment #1).
- Implementation of infrastructure such as bike lanes and multi-use paths is typically and best considered holistically with overall corridor improvements such as a road widening and as a result, the majority of active transportation infrastructure improvements in Halton Region's capital plan are linked to a roads capital project.

- Preliminary opportunities and gaps related to road safety and active transportation have been identified that are not associated with a capital project or program.
- Halton Region will advance designs for these active transportation initiatives and opportunities that are practical and achievable in the near term (two to three years) to promote user safety.
- Staff will update Regional Council on progress in 2024.

## **Purpose**

The transportation system serving Halton Region is multi-modal, comprised of Provincial, Regional and Local Municipal infrastructure. All elements of the system are interconnected and play a role in the provision of healthy and safe communities, supporting active lifestyles and providing multi-modal transportation options. Safety is Halton Region's top priority for the transportation network and active transportation is a key element to providing an inclusive and multi-modal transportation system available to all users of all abilities.

At the Regional Council meeting of Wednesday, January 25, 2023, a resolution was approved by Regional Council regarding road safety and active transportation which stated "THAT Staff be directed to report back to Council in 2023 with opportunities and benefits of accelerating projects within the 10-year program" (Attachment #1).

## **Background**

In support of achieving safe and healthy communities, Halton Region proactively plans, operates, and maintains the Regional Road system through, the following:

- Traffic Operations and Safety Study;
- Comprehensive Road Safety Action Plan; and,
- Transportation Master Plan and Active Transportation Master Plan.

### ***Traffic Operations and Safety Study***

A Traffic Operations and Safety Study was completed in 2021 to consider opportunities to further improve traffic operations and safety across the Regional Road network. The purpose of the study was to conduct a network-wide assessment which identified a number of recommendations that will be included in future state of good repair and capital works projects.

### ***Comprehensive Road Safety Action Plan***

Halton Region also uses the Comprehensive Road Safety Action Plan to facilitate the implementation of a road safety management system for Regional Roads. The Comprehensive Road Safety Action Plan is an ongoing safety improvement initiative and

is reported on annually through the Transportation Progress Report, which summarizes Halton Region's activities in the operation and maintenance of Halton Region's transportation system. Police enforcement and public education are also integral components of the Comprehensive Road Safety Action Plan.

### ***Transportation Master Plan and Active Transportation Master Plan***

Active transportation is a key element of a multi modal transportation network and in 2011; Halton Region completed a Transportation Master Plan through Report No. PW-59-11/LPS73-11/CS-45-11, which included a recommendation to develop a Region-wide Active Transportation Master Plan in consultation with the Local Municipalities to further promote Active Transportation in Halton Region.

The Active Transportation Master Plan was completed in 2015 in accordance with the Municipal Class Environmental Assessment process and was endorsed, in principle, by Regional Council through Report No. PW-17-15. The Active Transportation Master Plan included a network of on-road and off-road facilities such as bike lanes, paved shoulders, multi-use paths and sidewalks to be implemented through road widening, reconstruction and resurfacing capital projects.

In 2022, Halton Region initiated the Integrated Master Plan to complete the next Region-wide Water, Wastewater, and Multi-Modal Transportation Master Plans. The outcome of this work will be a long-term integrated servicing strategy for Regional infrastructure to accommodate future growth. This will also include a review of the active transportation network to accommodate future growth and to support non-auto modes of travel and the overall reduction in greenhouse gas emissions. Key considerations for developing the updated active transportation networks will include, but are not limited to the following:

- Prioritization of safety and user needs;
- Maximization of corridor space;
- Opportunities to remain dynamic;
- Connection to local municipal networks;
- Coordination with transit and network continuity; and,
- Active transportation crossings at Ministry of Transportation infrastructure (i.e. interchanges and structures).

Subsequent to the Master Plan, Municipal Class Environmental Assessment Studies are undertaken for capital improvements, such as a road widening, which also provides the opportunity to review and refine the active transportation infrastructure identified for a corridor. For example, the ongoing Regional Road 25 Municipal Class Environmental Assessment Study from Speers Road to Derry Road (Regional Road 7) will be reviewing and refining the recommendations for active transportation in consultation with stakeholders, agencies and the public.

## Discussion

### ***Active Transportation Implementation***

The majority of active transportation infrastructure improvements in the Regional Road network have typically been tied directly to a roads capital project such as road widening to include on-road bike lanes and multi-use paths, or the Road Resurfacing program to include paved shoulders in the rural area.

Since the completion of the 2015 Active Transportation Master Plan, the active transportation network continues to grow and Halton Region has implemented the following active transportation infrastructure, (the number shown in brackets illustrates the network total for the facility type as of 2022 year-end):

- 45 km of on-road bike lanes (71 km network total)
- 90 km of on-road paved shoulders (202 km network total)
- 50 km of off-road multi use paths (127 km network total)
- 25 km of sidewalks (143 km network total)

In 2023, there are several capital projects underway in either detailed design or construction that include new active transportation facilities, largely being implemented as part of Halton Region's Capital Program along corridors such as Dundas Street (Regional Road 5), Britannia Road (Regional Road 6), Trafalgar Road (Regional Road 3) and Wyecroft Road. Several of these projects will also make other improvements that will support active transportation, including new bus bays, new signalized intersections, or accessibility upgrades at intersections to meet requirements under the *Accessibility for Ontarians with Disabilities Act*.

Based on the current 10-year Capital Program as outlined in the 2023 Budget and Business Plan, Halton Region plans to implement over \$60 million in active transportation facilities and road safety improvements as part of road widenings, reconstructions and resurfacing projects over the next 10 years. This includes the implementation of the following additional active transportation infrastructure:

- 305 km of on-road bike lanes
- 45 km of on-road paved shoulders
- 255 km of off-road multi use paths
- 45 km of sidewalks

Through the ongoing update of the Transportation Master Plan, the long term active transportation needs for Halton Region will be identified including any updates to the current program to 2031. The plan will provide the overall infrastructure strategy for active transportation improvements required to address future travel demand, which will be incorporated into a future capital program.

In addition to capital improvements, a number of road safety improvements related to active transportation have also been implemented through programs and state-of-good-repair, for example:

- New paved shoulders on Guelph Line (Regional Road 1) from 2 Side Road to Britannia Road (Regional Road 6) and 20 Side Road (Regional Road 34) to Eramosa Milton Townline (Regional Road 32);
- New paved shoulders on Winston Churchill Boulevard (Regional Road 19) from King Street to approximately 2 kilometres north of King Street (Terra Cotta);
- New sidewalk and parapet walls/railing on the Tremaine Road (Regional Road 22) Bridge south of Kelso Road;
- New parapet walls/railing on the Derry Road (Regional Road 7) Bridge west of Twiss Road and the Derry Road Bridge west of Walkers Line ; and,
- Implementation of accessibility upgrades at various intersections as part of the Roads Resurfacing Program to current standards.

### ***Opportunities to Further Advance Active Transportation***

The implementation of infrastructure such as bike lanes and multi-use paths is typically and best considered holistically with overall corridor improvements such as a road widening and as a result, the majority of active transportation infrastructure improvements in Halton Region's capital plan are linked to a roads capital project.

However, where there is no capital project planned in an area, there is the opportunity to continue to advance active transportation through smaller capital initiatives that address safety, gaps and continuity in the network. By addressing these potential additional opportunities, Halton Region will continue to advance an inclusive and multi-modal transportation system.

Through the Traffic Operations and Safety Study opportunities and gaps related to road safety and active transportation were identified that are not associated with a capital project or program. Examples of these opportunities include:

- Implementation of intersection treatments such as pavement markings including bicycle conflict areas to improve bike lane connectivity through intersections. for example on Neyagawa Boulevard (Regional Road 4) from Dundas Street to Sixteen Mile Drive;
- Pilot project for automatic pedestrian and cyclist detection/preemption including technology assessment at Regional intersections (up to three pilot locations);
- Gaps in active transportation where for example, sidewalks or multi-use paths end in advance of an intersection where a functional design for implementation is feasible; and,
- Opportunities to collaborate with the Ministry of Transportation and the City of Mississauga to eliminate the active transportation gap at Dundas Street across Highway 403.

These projects, which are practical and achievable in the near term (implementation in two to three years) can be advanced to begin design in 2023. It would then be possible to proceed to construction beginning in 2025, independent of a large capital project, in order to continue to advance the active transportation network.

It is recommended that these projects be funded through R2314A (Active Transportation Initiatives).

### ***Next Steps***

Upon receipt of Regional Council approval of the proposed approach to advance active transportation and road safety projects, staff will procure a consultant to undertake the design work. A detailed list of projects will be included beginning with the 2025 capital program for implementation.

Staff will update Regional Council on progress in 2024.

FINANCIAL/PROGRAM IMPLICATIONS

The project to advance the design of road safety and active transportation improvements requires a total budget of \$400,000. It is recommended that the project designs be funded through R2314A (Active Transportation Initiatives) which has sufficient budget available to complete the work.

Respectfully submitted,



Lee Anne Jones  
Director, Infrastructure Planning and Policy



Rob Rivers CET  
Director, Waste Management and Road Operations



Andrew Farr  
Commissioner, Public Works

Approved by



Jane MacCaskill  
Chief Administrative Officer

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

Lee Anne Jones  
Rob Rivers

Tel. # 7547  
Tel. # 8289

Attachments: Attachment #1 - Regional Council Resolution Regarding Road Safety and Active Transportation (January 25, 2023)



## **HALTON REGION**

### **NOTICE OF MOTION**

DATE: January 25, 2023

ITEM: Road Safety and Active Transportation Resolution

DATE OF MEETING  
NOTICE OF MOTION  
TO BE CONSIDERED: Council Meeting – January 25, 2023

MOVED BY: Councillor Tom Adams  
SECONDED BY: Councillor Sameera Ali

WHEREAS road safety and active transportation contribute to an inclusive and multi modal transportation system available to all users of all abilities;

WHEREAS road safety and active transportation support healthy and safe communities and active lifestyles;

WHEREAS the Region proactively improves road safety through its Comprehensive Road Safety Action Plan (CROSAP);

WHEREAS the Region plans to implement over \$60M in active transportation facilities and road safety improvements as part of road widenings, reconstructions and resurfacing projects over the next 10 years as part of the 2023 Budget and Business Plan; and

WHEREAS through the Region's Integrated Master Plan, the active transportation network and initiatives will be updated to achieve a connected network that is available to users of all abilities.

NOW THEREFORE BE IT RESOLVED:

THAT Staff be directed to report back to Council in 2023 with opportunities and benefits of accelerating projects within the 10-year program.



**VIA EMAIL**

June 19, 2023

Legislative & Planning Services  
Department  
Office of the Regional Clerk  
1151 Bronte Road  
Oakville ON L6M 3L1

Kevin Arjoon, City Clerk, City of Burlington  
Meaghan Reid, Town Clerk, Town of Milton  
Vicki Tytaneck, Town Clerk, Town of Oakville  
Valerie Petryniak, Town Clerk, Town of Halton Hills

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Please be advised that at its meeting held Wednesday, June 14, 2023, the Council of the Regional Municipality of Halton adopted the following resolution:

**RESOLUTION: PW-23-23 - Update on Blue Box Transition**

1. THAT Report No. PW-23-23 re: "Update on Blue Box Transition" be received for information.
2. THAT the Regional Clerk forward a copy of Report No. PW-23-23 to the City of Burlington, the Town of Halton Hills, the Town of Milton and the Town of Oakville.

Included please find a copy of Report No. PW-23-23 for your information. If you have any questions please contact me at the e-mail address below.

Sincerely,

A handwritten signature in blue ink, appearing to read "G. Milne", written over a light blue circular stamp.

Graham Milne  
Regional Clerk  
[graham.milne@halton.ca](mailto:graham.milne@halton.ca)

**Regional Municipality of Halton**

HEAD OFFICE: 1151 Bronte Rd, Oakville, ON L6M 3L1  
905-825-6000 | Toll free: 1-866-442-5866



**The Regional Municipality of Halton**

Report To:	Regional Chair and Members of Regional Council
From:	Andrew Farr, Commissioner, Public Works
Date:	June 14, 2023
Report No:	PW-23-23
Re:	Update on Blue Box Transition

**RECOMMENDATION**

1. THAT Report No. PW-23-23 re: "Update on Blue Box Transition" be received for information.
2. THAT the Regional Clerk forward a copy of Report No. PW-23-23 to the City of Burlington, the Town of Halton Hills, the Town of Milton and the Town of Oakville.

**REPORT**

**Executive Summary**

- Commencing January 1, 2026 Producers will be fully responsible for the administration and management of Blue Box material collected from Eligible Sources. Producers will establish levels of service, create collection schedules, and determine how and how frequently Blue Box material is to be collected. The Province of Ontario will no longer regulate how municipalities are to administer a Blue Box program in their communities on their respective transition dates.
- There will be a transition period for each municipality at the end of which Producers will assume full responsibility for the program. In Halton that period is April 1, 2025 to December 31, 2025.
- Circular Materials is one of four Producer Responsibility Organizations and is the Common Collection System Administrator responsible for administering the implementation of the Common Collection System for the collection of designated Blue Box material from Eligible Sources.

- Halton Region’s current agreements for the collection of solid waste expire on March 31, 2026. Circular Materials has informed municipalities that they will extend the transition period and will continue to support municipalities collecting Blue Box material on behalf of Producers if a municipality’s current agreements extend into 2026.
- The four local municipalities in Halton represent a Catchment Area created by Circular Materials for which agreements for the collection and receipt of Blue Box material collected in Halton will be awarded during the transition period.
- Circular Materials has amended and revised Master Service Agreements and Statements of Work, which outline responsibilities and requirements for the collection of Blue Box material from Eligible Sources during a municipality’s respective transition period.
- As Circular Materials continues to work with municipalities that are transitioning their Blue Box programs to extended producer responsibility in 2023 and 2024, the estimated schedule for commencement of discussions between Halton Region and Circular Materials has been adjusted. Halton Region and Circular Materials will formally commence discussions sometime between late Fall 2023 and Winter 2024.
- In Spring 2024, staff will update Regional Council on details of the proposed agreement between Halton Region and Circular Materials for the transition period and recommended next levels of service for Halton’s next collection agreements (to commence in 2026).

## Background

In June 2021, the Province of Ontario adopted *Ontario Regulation 391/21: Blue Box*, which detailed the transition of municipal Blue Box programs to producer responsibility (Report No.: PW-26-21, re: Ontario Blue Box Regulation 391/21). The new Regulation also identified designated materials and their respective recovery targets, and the transition timeline for municipalities (April 1, 2025 to December 31, 2025 for the Local Municipalities in Halton Region). The Regulation was amended in April 2022 when the Province of Ontario adopted *Ontario Regulation 349/22: Blue Box*, which included additional requirements for producers (collectively, Ontario Blue Box Regulation).

The purpose of this report is to update Regional Council on the status, current timeline, and next steps on the transition of municipal Blue Box programs to producer responsibility. In May 2022, Regional Council Report No: PW-06-22, re: Blue Box Transition and Negotiation with Producer Responsibility Organizations, approved delegated authority for staff in the Legal, Finance and Public Works Departments to negotiate the transition of Halton Region’s Blue Box program to the new Blue Box regulatory framework to comply with the Ontario Blue Box Regulation.

The timelines for Halton Region to transition the Blue Box program are as follows:

- Transition period - April 1, 2025 to December 31, 2025;
- End of current collection contract - March 31, 2024 (with two one-year options to extend); and,
- Full producer responsibility - January 1, 2026.

## **Discussion**

Staff have actively been meeting and collaborating with municipalities through Halton Region's memberships with the Association of Municipalities of Ontario, the Municipal Resource Recovery and Research Collaborative, the Regional Public Works Commissioners of Ontario and the Municipal Working Group.

Circular Materials, in their role as the Common Collection System administrator, conducts meetings once a month with the Municipal Working Group to share information and clarification on next steps in the transition of the municipal Blue Box program to extended producer responsibility.

It is important to note, that as the majority of municipalities in Ontario have been administering Blue Box programs in their communities for over 30 years, the scope of change and planning necessary to transition municipal Blue Box programs to full producer responsibility is significant. While municipalities and Producer Responsibility Organizations remain committed to meeting the transition timelines, there have been some changes to the timeline for when municipalities and Circular Materials are finalizing their respective agreements.

### ***Circular Materials***

Circular Materials is one of four Producer Responsibility Organizations and represent the majority of producers that supply Blue Box materials to consumers in Ontario. Circular Materials is also the Common Collection System Administrator on behalf of all Producer Responsibility Organizations. As a result, Circular Materials is responsible for administering the implementation of the Common Collection System for the collection of designated Blue Box material from Eligible Sources. The purpose of the Common Collection System is to implement a Blue Box program where acceptable Blue Box material is consistent in all municipalities and recovery targets for designated material are met as outlined in the Ontario Blue Box Regulation.

To support the implementation of the Common Collection System, Circular Materials has established Master Service Agreements and Statements of Work that identify duties and responsibilities and the scope of work to be performed during the transition period and post transition period. Over the past year, Circular Materials has revised the Master Service Agreements and Statements of Work in part as a result of consultations with municipalities and waste management service providers. Municipalities or solid waste collection contractors collecting Blue Box material during a municipalities transition period

and after the transition period has ended (December 31, 2025) are required to enter into agreements with Circular Materials for the collection of Blue Box material from Eligible Sources.

### ***Collection Services During Halton Region's Transition Period***

During a municipality's transition period, the levels of service for the collection of Blue Box material is to remain status quo to support a seamless transition from the municipal Blue Box program to extended producer responsibility.

Halton Region has yet to commence any formal discussions with Circular Materials to designate duties and responsibilities through Halton Region's assigned transition period (April 1, 2025 to December 31, 2025). The original expectations were that negotiations with Circular Materials would commence in late 2022, however Circular Materials continues to secure agreements and resources for the provision of Blue Box collection for those municipalities transitioning their Blue Box programs in 2023 and 2024. As a result, Circular Materials has informed municipalities transitioning in 2025 that they will commence discussions in the late fall of 2023.

Halton Region has an agreement with Miller Waste Systems for the curbside collection of Blue Box material from single-family households and the collection of Blue Box material from multi-residential complexes, publicly funded schools, Regional/Municipal facilities, designated Business Improvement Areas and commercial properties. Halton Region also has an agreement with Advantage Waste Inc. for the collection of large volumes of Blue Box material from multi-residential properties, publicly funded schools and designated commercial properties.

As Halton Region has already established an effective integrated waste management system, which includes a Blue Box program for Eligible Sources, the continuation of services by Halton Region will be beneficial to both producers and to the Halton community. Based on when current agreements for collection of Blue Box material expire in other municipalities across the province, some municipalities will no longer collect Blue box material on their assigned transition date, and others will continue to provide collection services through the transition period.

Staff also anticipate support from Producer Responsibility Organizations for Halton Region to take the opportunity within current collection agreements to extend and to provide collection services through to when Halton Region's collection agreements with Miller Waste Systems and Advantage Waste Inc. expire (March 31, 2026).

The opportunity to take advantage of existing contracted services through the transition period will form the basis of Halton's discussions with Circular Materials Ontario.

## ***Eligible Sources and Non-Eligible Sources***

The Ontario Blue Box Regulation identifies the Eligible Sources for which producers are responsible for collecting and diverting recyclable material from landfill. Eligible Sources include the following:

- Residential households;
- Multi-Residential complexes;
- Schools (public and private);
- Long-Term Care Facilities;
- Retirement homes; and,
- Public space litter containers.

Halton Region's collection agreements do include services for the collection of Blue Box material from the Eligible Sources listed above with the exception of private schools and a few retirement homes. The Local Municipalities also perform collection of recyclable material from litter containers placed in community parks. Through the transition period, the expectation as outlined in the Ontario Blue Box Regulation is for the collection of Blue Box material to remain unchanged for Eligible Sources that currently receive collection.

Halton Region also collects Blue Box material from Non-eligible Sources, which include:

- Regional/Municipal facilities;
- Places of Worship;
- Designated Commercial; and,
- Business Improvement Areas.

As Halton Region's waste collection agreements commenced in advance of the new Ontario Blue Box Regulation, the primary goal of the agreements was to optimize efficiencies and resources by aligning collection services based on how waste material is to be collected. As a result, Blue Box material collected from Eligible Sources and from Non-eligible Sources are mixed together in some instances. Circular Materials has informed municipalities that during a municipality's transition period, Blue Box material from Eligible Sources that are mixed with material from Non-eligible Sources will be accepted. However, it is understood that a fee for the management of Blue Box material collected from Non-eligible Sources will be determined and applied.

## ***Next Steps***

Staff are reviewing the revised Master Service Agreements and Statements of Work. Early review indicates that many of the articles within the Master Service Agreements and Statements of Work align with articles in Halton Region's current agreements with Miller Waste Systems and Advantage Waste Inc., which is helpful as this will minimize any conflicts between the agreements. Any discrepancies will be noted to determine if they conflict with Halton Region's agreements and if necessary require amendments in discussions with Circular Materials.

Halton Region will submit a Transition Report to the Resource Productivity and Recovery Authority in August 2023. The purpose of the Transition Report is to identify the number and location of Eligible Sources and Non-Eligible Sources in Halton Region. This information will assist Circular Materials in developing pricing to be paid to Halton Region for the duration of the transition period and determine the scope of work for the Common Collection System.

Halton Region will continue to be in regular contact with Circular Materials in order to be ready for when formal discussions with them on the transition to producer responsibility for the Blue Box program in Halton Region commences. As a result, it may be in Halton Region and Circular Materials' best interests during negotiations to determine if an extension with current waste collection service providers is warranted. An extension of current agreements could provide Halton Region with sufficient time to prepare, release, evaluate and award the next solid waste collection agreements and ability for contractors to secure required resources.

New solid waste collection agreements will commence in 2026. Staff will review current levels of service and consider a number of options for how waste material can be collected and continue to build on the success of Halton Region's waste management program to increase diversion from landfill and ensure the safe handling and disposal of solid waste.

## **Conclusion**

Staff are confident that Halton Region can negotiate a successful transition with Circular Materials to producer responsibility while maintaining existing levels of service and continuation of excellent customer service for Halton residents until 2026. Staff have been informed by Circular Materials the discussions on an agreement between Halton Region and Circular Materials will commence in the late Fall or early Winter of 2023. Staff will report to Regional Council on the results of negotiations in the Spring of 2024 and at that time also recommend next levels of service for solid waste collection for Regional Council's review and consideration.

FINANCIAL/PROGRAM IMPLICATIONS

There are no direct financial implications associated with this report. Any financial implications arising from the transition to full Producer responsibility will be communicated to Regional Council through the transition process, and will be reviewed as part of the annual budget process.

Respectfully submitted,



Rob Rivers CET  
Director, Waste Management and Road  
Operations



Andrew Farr  
Commissioner, Public Works

Approved by



Jane MacCaskill  
Chief Administrative Officer

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

Rob Rivers

Tel. # 8289

Attachments: None



VIA EMAIL

June 19, 2023

Legislative & Planning Services  
Department  
Office of the Regional Clerk  
1151 Bronte Road  
Oakville ON L6M 3L1

Valerie Petryniak, Town Clerk, Town of Halton Hills  
Aretha Adams, Regional Clerk, The Regional Municipality of Peel

---

Please be advised that at its meeting held Wednesday, June 14, 2023, the Council of the Regional Municipality of Halton adopted the following resolution:

**RESOLUTION: PW-25-23 - Water Supply Agreement with The Regional Municipality of Peel for Temporary Servicing of Properties in the Premier Gateway Employment Area**

1. THAT Report No. PW-25-23 re: "Water Supply Agreement with The Regional Municipality of Peel for Temporary Servicing of Properties in the Premier Gateway Employment Area" be endorsed by Regional Council.
2. THAT the Commissioner of Public Works be authorized to negotiate, enter into and execute, a new agreement and any ancillary documents with The Regional Municipality of Peel including any future amendments, renewals, extensions or termination thereof, on legal terms satisfactory to the Director of Legal Services based upon the principles as set out in Report No. PW-25-23, to address the cross-boundary municipal water servicing arrangements between The Regional Municipality of Halton and The Regional Municipality of Peel regarding the Halton Hills Premier Gateway Employment Area.
3. THAT the Regional Clerk forward a copy of Report No. PW-25-23 to the Town of Halton Hills and The Regional Municipality of Peel for their information.

Included please find a copy of Report No. PW-25-23 for your information. If you have any questions please contact me at the e-mail address below.

Sincerely,

Graham Milne  
Regional Clerk  
[graham.milne@halton.ca](mailto:graham.milne@halton.ca)

Regional Municipality of Halton

HEAD OFFICE: 1151 Bronte Rd, Oakville, ON L6M 3L1  
905-825-6000 | Toll free: 1-866-442-5866



**The Regional Municipality of Halton**

Report To:	Regional Chair and Members of Regional Council
From:	Andrew Farr, Commissioner, Public Works
Date:	June 14, 2023
Report No:	PW-25-23
Re:	Water Supply Agreement with The Regional Municipality of Peel for Temporary Servicing of Properties in the Premier Gateway Employment Area

**RECOMMENDATION**

1. THAT Report No. PW-25-23 re: “Water Supply Agreement with The Regional Municipality of Peel for Temporary Servicing of Properties in the Premier Gateway Employment Area” be endorsed by Regional Council.
2. THAT the Commissioner of Public Works be authorized to negotiate, enter into and execute, a new agreement and any ancillary documents with The Regional Municipality of Peel including any future amendments, renewals, extensions or termination thereof, on legal terms satisfactory to the Director of Legal Services based upon the principles as set out in Report No. PW-25-23, to address the cross-boundary municipal water servicing arrangements between The Regional Municipality of Halton and The Regional Municipality of Peel regarding the Halton Hills Premier Gateway Employment Area.
3. THAT the Regional Clerk forward a copy of Report No. PW-25-23 to the Town of Halton Hills and The Regional Municipality of Peel for their information.

**REPORT**

**Executive Summary**

- This Report seeks Regional Council approval to enter into a temporary municipal water service connection from The Regional Municipality of Peel (“Peel Region”) to service the Halton Hills Premier Gateway Employment Area on the basis that the connection can meet the conditions within a Water Supply Agreement with Peel Region.

- Conestoga Cold Storage Limited contacted Halton Region and Peel Region to request a municipal water connection, on an interim basis, through an existing emergency connection on Steeles Avenue (Regional Road 8) to service 16316 Steeles Avenue, 16408 Steeles Avenue, PIN 250260130 (LT) and 7876 Tenth Line South in the Town of Halton Hills.
- In discussions with Peel Region, the framework of a water supply agreement was developed where the existing emergency infrastructure would be commissioned and temporarily placed into service for connection to Halton Hills Premier Gateway Employment Area until Halton Region's permanent infrastructure is constructed.
- Halton Region's Urban Services Guidelines permit connections to other municipalities' infrastructure without an amendment to the Regional Official Plan, subject to criteria. Given the location of the subject lands and in recognition of the overall goals and objectives of the Regional Official Plan, consideration has been given to such a connection on a temporary basis.

## **Background**

On March 6, 2023, staff received a letter from Conestoga Cold Storage Limited regarding the development of their lands located at 16316 Steeles Avenue, 16408 Steeles Avenue, PIN 250260130 (LT) and 7876 Tenth Line South in the Town of Halton Hills Premier Gateway Employment Area as shown in yellow in Attachment #1. The subject lands are located southwest of Steeles Avenue and Winston Churchill Boulevard (Regional Road 19) and close to the border with Peel Region in the City of Brampton. The letter requested that Halton Region provide water servicing to these lands.

The Conestoga Cold Storage Limited development represents an investment of approximately \$250 million and comprises a state-of-the-art warehouse facility spanning 290,000 square feet, along with ancillary office space. The proposed vertical cold storage warehouse is anticipated to create up to 250 jobs in Halton Region, including high-tech support positions. This facility is strategically planned to enhance Conestoga Cold Storage Limited's distribution network and complement its existing major cold storage facility located at Meadowpine Boulevard in the City of Mississauga.

Water and wastewater servicing needs for the Premier Gateway Area was identified through the 2008 Master Plan and included a new 600 mm watermain (ID 3844 and ID 5948) and new 525 mm and 375 mm wastewater mains (ID 3863 and ID 4648) to run along Steeles Avenue from Eighth Line to Winston Churchill Boulevard. Due to the topography, lands east of Ninth Line would drain to a new pumping station (ID 3864) at Winston Churchill Boulevard and be pumped through twin 250 mm forcemains (ID 3865) back to connect to the wastewater mains west of Ninth Line. The design of the required works was initiated in 2011. In 2013, Corridor Protection Zones were implemented through the announcement of planning for Highway 413, and the infrastructure projects were paused.

Implementation of municipal water and wastewater services to the Premier Gateway Area has now been re-initiated in coordination with the Town of Halton Hills' completion of the secondary planning process. A feasibility study has been initiated to confirm the wastewater servicing strategy, in light of the on-going construction of servicing to Georgetown and this study will be completed by the fall of 2023, followed by any identified Municipal Class Environmental Assessment requirements. It is then anticipated that design of the water and wastewater infrastructure projects will be finalized in mid-to-late 2025 allowing for construction to be completed late in 2027.

Halton Region's Official Plan policies has terms that would permit Conestoga Cold Storage Limited to proceed with private services in advance of municipal services being available however there are significant challenges with the servicing of these lands with groundwater. As a result, Conestoga Cold Storage Limited approached Peel Region regarding the ability to connect to an emergency connection that was constructed (but not placed in service) in 2011, as part of Peel Region's widening of Winston Churchill Boulevard project. The infrastructure consists of a meter chamber and approximately 270 m of 400 mm watermain on Steeles Avenue as noted in Attachment #1.

If approved, Conestoga Cold Storage Limited would undertake the construction of a connection to Regional infrastructure, including a segment of the new 600 mm watermain on Steeles Avenue. When the remainder of the 600 mm watermain on Steeles Avenue is constructed by Halton Region as part of Premier Gateway servicing, servicing from Peel Region would be terminated and Conestoga Cold Storage Limited would be required to connect to Halton Region's infrastructure, bearing all costs of connection and disconnection.

## **Discussion**

### ***Overview and Assessment of Criteria for Connection to Other Municipalities' Systems***

The Regional Official Plan contains policies related to the provision of urban services in Halton Region. With respect to connections other municipal infrastructure systems, Section 89(17) of the Regional Official Plan states:

- Consider and permit, based on individual merit and in accordance with goals and objectives of this Plan, new urban service system interconnections between the Region of Halton and abutting municipalities.

In 2020, Halton Region's Urban Services Guidelines (<https://www.halton.ca/Repository/Urban-Services-Guidelines>) (the "Guidelines") were updated to provide more specific direction on how Halton Region would consider and permit connections to other municipalities' infrastructure. The updated Guidelines include a new process for advancing such connections without a Regional Official Plan Amendment.

## ***Discussions with Peel Region***

In discussions with Peel Region, the framework of a water supply agreement was developed where the existing emergency infrastructure would be commissioned and placed into service for temporary connection to the Premier Gateway Employment Area as shown in Attachment #2. Halton Region owns and maintains the infrastructure within Halton's boundaries and the connection between Peel Region and Halton Region at Steeles Avenue would be commissioned to supply Halton Region's existing infrastructure. In general, the agreement includes the following concepts:

- Peel Region controls, operates and maintains services and infrastructure ("Peel Works") within Peel's boundary;
- Halton Region would own and be responsible for oversight, capital, operations and maintenance of the connected infrastructure within Halton ("Halton Works");
- Additional connections may be considered with Peel Region's consent;
- There will be a separate agreement between benefiting property owners within the Premier Gateway Employment Area and Halton Region through Halton's development application process;
- Halton Region would enforce its Backflow Prevention requirements;
- Halton Region would be responsible for billing meter and measurements;
- Benefiting property owner would pay Halton Region directly and Halton Region to pay Peel Region;
- There will be a fixed duration to this agreement;
- There will be a limit on peak flow established/allocated and capacity is not unlimited;
- The existing Intermunicipal Adverse Water Quality Notification Protocol will be followed; and
- Peel Region would be made whole by Halton Region if there is an issue collecting the revenue for billed volume.

## ***Recommended Option***

As part of the Premier Gateway Phase 2B Infrastructure Implementation Plan, Halton Region will be constructing permanent water and wastewater infrastructure to service the subject lands.

An interim solution is needed to service Conestoga Cold Storage Limited's commercial development. Since Peel Region has constructed infrastructure in the area of the subject lands, entering into a water servicing agreement with Peel Region is a reasonable solution.

This recommendation is consistent with Section 89(17) of the Regional Official Plan which states that it is the policy of Halton Region to "consider and permit, based on individual merit and in accordance with goals and objectives of this Plan, new urban service system interconnections between the Region of Halton and abutting municipalities". Thus, Regional Council approval of cross border servicing is required.

## ***Conclusion and Next Steps***

Conestoga Cold Storage Limited, regarding the development of their lands located at 16316 Steeles Avenue, 16408 Steeles Avenue, PIN 250260130 (LT) and 7876 Tenth Line South, has requested water servicing from Halton Region. As Halton Region's infrastructure has not yet been constructed and there are significant challenges with the servicing of these lands with groundwater, an interim solution is required.

Peel Region has constructed an emergency water connection on Steeles Avenue to this area that is currently not used and as such, a framework to create a "Water Supply Agreement with the Region of Peel Servicing of Properties in the Premier Gateway Employment Area" was developed.

Upon Regional Council's approval of Report No. PW-25-23, staff will continue discussions with Peel Region to identify and secure the requisite permissions and agreements to connect municipal water services from Peel Region to the properties in the Premier Gateway Employment Area for Regional Council's approval. Staff will also continue to work with Conestoga Cold Storage Limited through the development application process to assist with satisfying requirements to proceed with the municipal water connection.

FINANCIAL/PROGRAM IMPLICATIONS

There are no financial implications at this time.

Respectfully submitted,



Lee Anne Jones  
Director, Infrastructure Planning and Policy



Andrew Farr  
Commissioner, Public Works

Approved by



Jane MacCaskill  
Chief Administrative Officer

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

Lee Anne Jones

Tel. # 7547

Attachments: Attachment #1 – Copy of Conestoga Cold Storage Limited’s Letter to Halton Region  
Attachment #2 – Locational Map of the Premier Gateway Employment Area



CONESTOGA COLD STORAGE  
*A Tradition of Service*

March 6, 2023

**Submitted Digitally**

Ms. Lee Anne Jones  
Director Infrastructure Planning & Policy  
Halton Region  
1151 Bronte Road  
Oakville, ON  
L6M 3L1

Dear Ms. Jones:

**Re: Peel Region Water Connection  
Conestoga Cold Storage Limited  
Town of Halton Hills**

---

As you are aware, Conestoga Cold Storage Limited (“CCS”) is in the process of developing lands located at 16408 and 16316 Steeles Avenue and 7876 Tenth Line South in the Halton Hills Premier Gateway Employment Area for a cold storage warehouse facility and related office. CCS has put together a team of consultants to assist us and we are at a pivotal point where we must finalize crucial design aspects of the project. Specifically, a municipal water connection from Peel is critical for fire protection purposes.

It is our understanding that staff from Halton have had numerous discussions with our consulting team and that there have also been very fruitful discussions with Peel staff about the possibility of obtaining a municipal water connection on an interim basis through an existing connection on Steeles Avenue to service our site. We are appreciative of these efforts and would like to take these discussions to the next level.

Our consulting team is in the process of finalizing a design for infrastructure along Steeles Avenue to the CCS property and will be submitting the required Services Permit application shortly for connection to the Halton system. Our ask is one of timing and process. We would like to know the next steps and whether authorization from Regional Council is necessary to facilitate the Peel connection and if so, could you share with us the timing.

Any information you can provide us would be appreciated and again we are extremely grateful and appreciative of Halton’s support and guidance to date. Please let us know if there is any information you need from CCS or our consulting team to bring this matter to a successful conclusion.

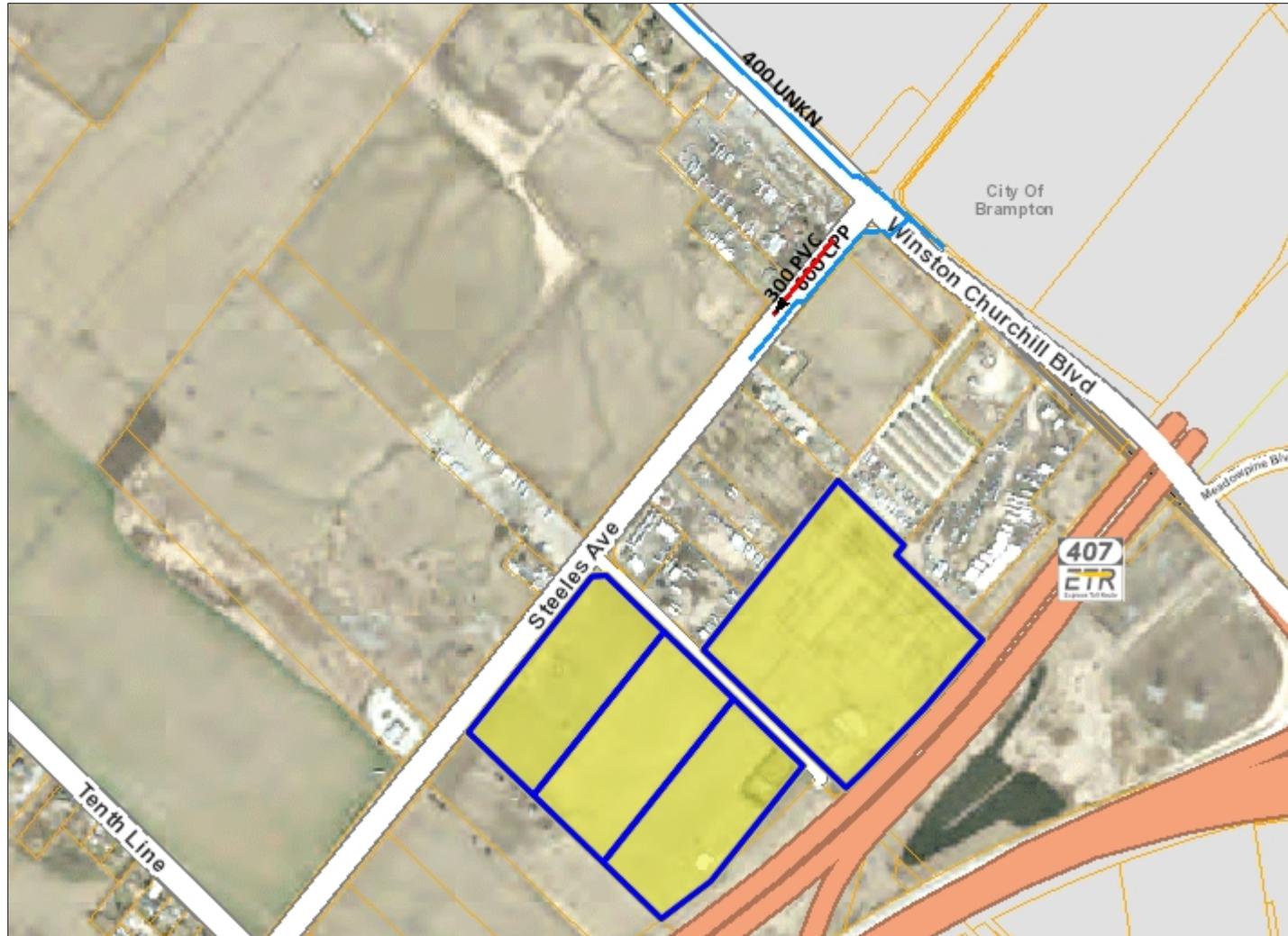
Sincerely,

Gavin Sargeant, B.ASc.  
Vice President, Conestoga Cold Storage Limited.

c. Bob Gray, Commissioner, Legislative & Planning Services and Corporate Counsel  
Andrew Farr, Commissioner of Public Works

# Conestoga Cold Storage Owned Lands, Halton Hills to Report No. PW-25-23

Attachment #2



Legend

- Ownership Parcel (Teranet)
- Assessed Property Parcel (MPAC)
- Orthos 2021
- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3
- Water Main
- PotableWater
- RawWater
- Sewer Main
- Discharge
- ForceMain
- GravitySewer
- InLineStorage
- Siphon



1: 9,659

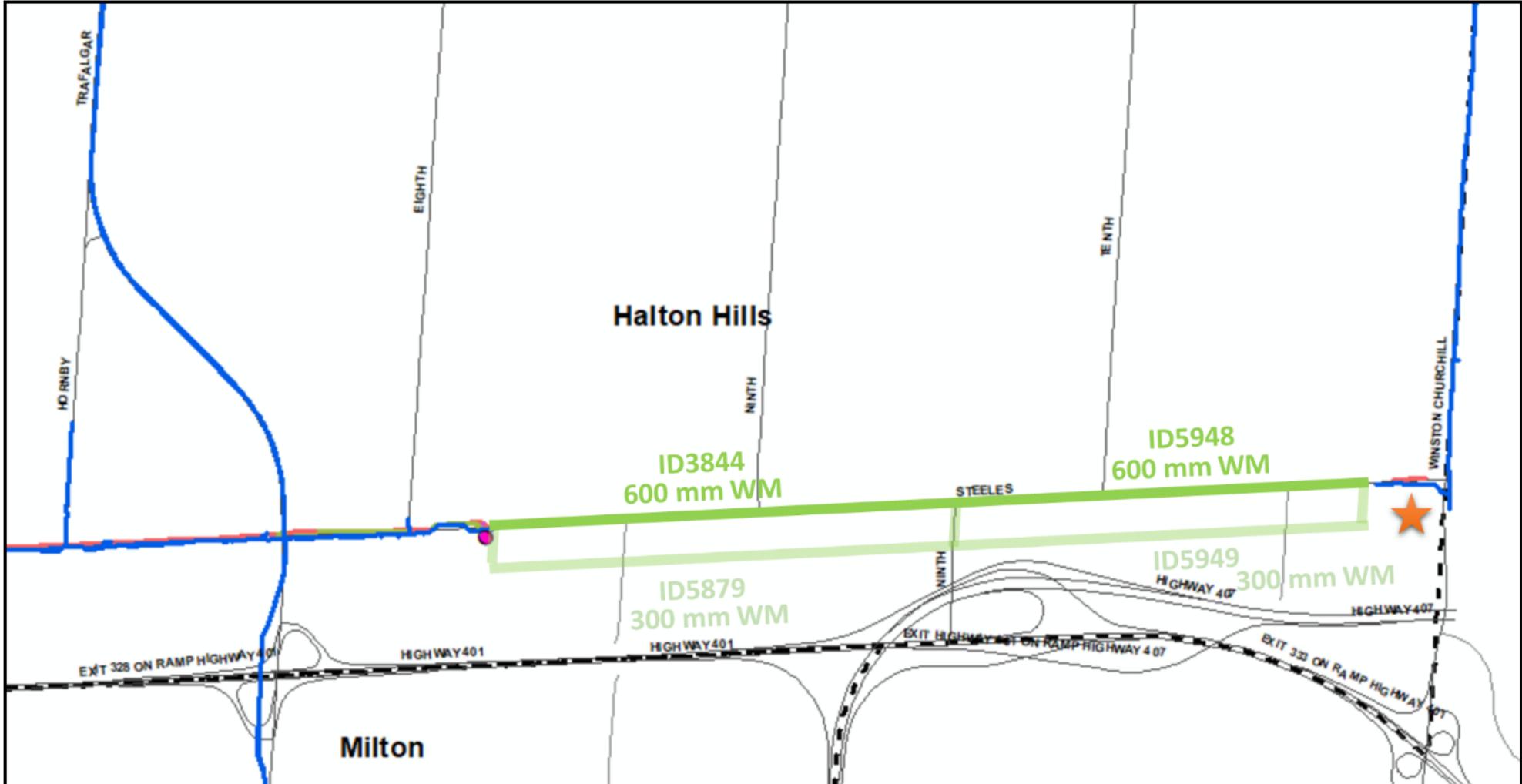
Information Valid as of: 6/8/2023

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. ALL INFORMATION SHOULD BE VERIFIED.

THIS MAP IS NOT TO BE USED FOR NAVIGATION  
FOR INTERNAL USE ONLY



Halton.ca 311





VIA EMAIL

June 7, 2023

Legislative & Planning Services  
Department  
Office of the Regional Clerk  
1151 Bronte Road  
Oakville ON L6M 3L1

Kevin Arjoon, City Clerk, City of Burlington  
Meaghen Reid, Town Clerk, Town of Milton  
Vicki Tytaneck, Town Clerk, Town of Oakville  
Valerie Petryniak, Town Clerk, Town of Halton Hills

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Please be advised that at its meeting held Wednesday, May 24, 2023, the Council of the Regional Municipality of Halton adopted the following resolution:

**RESOLUTION: LPS32-23 - Appointment of Integrity Commissioner**

1. THAT Regional Council authorize the award for the provision of Integrity Commissioner services to Suzanne Craig for a term to commence July 1, 2023 and conclude December 31, 2027, as set out in Report No. LPS32-23 re: "Appointment of Integrity Commissioner".
2. THAT the Director of Legal Services prepare the necessary by-law to appoint Suzanne Craig as Integrity Commissioner for Halton Region as set out in Report No. LPS32-23.
3. THAT the Regional Clerk forward a copy of Report No. LPS32-23 to the City of Burlington, the Town of Halton Hills, the Town of Milton and the Town of Oakville for their information.

Included please find a copy of Report No. LPS32-23 for your information. If you have any questions please contact me at the e-mail address below.

Sincerely,

Graham Milne  
Regional Clerk  
[graham.milne@halton.ca](mailto:graham.milne@halton.ca)

**Regional Municipality of Halton**

HEAD OFFICE: 1151 Bronte Rd, Oakville, ON L6M 3L1  
905-825-6000 | Toll free: 1-866-442-5866



## The Regional Municipality of Halton

Report To:	Regional Chair and Members of Regional Council
From:	Bob Gray, Commissioner, Legislative and Planning Services and Corporate Counsel
Date:	May 24, 2023
Report No:	LPS32-23
Re:	Appointment of Integrity Commissioner

### RECOMMENDATION

1. THAT Regional Council authorize the award for the provision of Integrity Commissioner services to Suzanne Craig for a term to commence July 1, 2023 and conclude December 31, 2027, as set out in Report No. LPS32-23 re: "Appointment of Integrity Commissioner".
2. THAT the Director of Legal Services prepare the necessary by-law to appoint Suzanne Craig as Integrity Commissioner for Halton Region as set out in Report No. LPS32-23.
3. THAT the Regional Clerk forward a copy of Report No. LPS32-23 to the City of Burlington, the Town of Halton Hills, the Town of Milton and the Town of Oakville for their information.

### REPORT

#### **Executive Summary**

- Sections 223.3-223.8 of the *Municipal Act, 2001* authorize a municipality to appoint an Integrity Commissioner who reports to Council in an independent manner on the application of codes of conduct and other rules and procedures governing the ethical behaviour of its Members.
- Report No. LPS73-22, adopted by Council November 9, 2022, extended the incumbent Regional Integrity Commissioner's appointment to June 30, 2023 to allow for a procurement process leading to the choice of an Integrity Commissioner to serve for the current term of Council.

- Following the issuance of a Request for Proposal (RFP) for the services of an Integrity Commissioner and the completion of the RFP process, this report recommends the appointment of Suzanne Craig as Integrity Commissioner for the Regional Municipality of Halton for a term to commence July 1, 2023 and conclude December 31, 2027.

## **Background**

Under the *Municipal Act, 2001*, a municipality is authorized to appoint an Integrity Commissioner who reports to Council in an independent manner on the application of codes of conduct and other rules and procedures governing the ethical behaviour of its councillors. Since 2018, that role has been filled for Halton Region by the firm of Principles Integrity. The initial appointment was to December 31, 2022. Through Council approval of Report No. LPS73-22, their term was extended to June 30, 2023, to allow time for the Inaugural meeting, adoption of the 2023 budget, Council orientation and other early term matters to be considered before Council was requested to make the appointment for the new term.

During the first procurement process in 2018, Halton, on behalf of the Halton Cooperative Purchasing Group (HCPG), led the process on behalf of the Local Municipalities. The City of Burlington elected to run its procurement separately in 2022 and reappointed Principles Integrity as its Integrity Commissioner for the term. For this procurement, Halton Region was joined by the Towns of Halton Hills, Milton and Oakville.

Halton Region, on behalf of the HCPG, issued the Request for Proposal for Integrity Commissioner services on March 20, 2023, which closed on April 6, 2023. One submission was received. A staff committee consisting of the Regional Clerk, Deputy Regional Clerk and the Clerks from the three Local Municipalities evaluated the submission. A two envelope method was used to evaluate the proposal submissions. The technical proposal submission was analyzed and evaluated by the committee, based on the following technical proposal evaluation criteria: Investigative Experience, Knowledge of Ontario Municipal Law and General Municipal Experience, Community/Media Relations and Education, Interview, and References.

The technical proposal from the sole proponent, Suzanne Craig, passed the minimum technical score of 70% and had the related cost proposal opened and evaluated. The score for the cost proposal was then added to the technical proposal score in order to obtain the total score.

## **Discussion**

The Purchasing By-law provides authority for the Regional Chair and Clerk to enter into an agreement, in a form satisfactory to the Director of Legal Services, with Suzanne Craig for the provision of Integrity Commissioner services for a term to commence July 1, 2023 and conclude December 31, 2027. This agreement will cover the provision of Integrity Commissioner services for the Region. The Local Municipalities that also intend to

appoint Suzanne Craig will be expected to enter into separate agreements. It should be noted that the Region's appointment is proposed to end one year into the term of the Council elected in 2026 so the new Council may have the opportunity to appoint its own Integrity Commissioner (or approve a renewal of the incumbent's term) clear of initial Inaugural and other considerations.

Suzanne Craig has served as an Integrity Commissioner since 2009 and is at present the Integrity Commissioner for the following municipalities in Ontario: City of Barrie, City of Vaughan, District of Muskoka, Town of Muskoka Lakes, Town of Bracebridge, Town of Huntsville, Town of Lake of Bays, Town of Gravenhurst, Town of Georgian Bay and Town of Seguin, along with the Ottawa-Carleton District School Board, York Region District School Board and Waterfront Toronto.

Services that may be provided by the Integrity Commissioner over the course of the contract may include, but not be limited to: acting as an advisor to Council, providing assistance on potential amendments to the Council Code of Conduct, guidance on the application of and obligations of Members under the Council Code of Conduct, conducting investigations of alleged breaches of the Council Code of Conduct, providing advice to individual Members on the Council Code of Conduct and policies and legislation governing ethical behaviour, and providing education and training regarding these policies. The Integrity Commissioner will also be required under provincial legislation to provide guidance on the applicability of the Municipal Conflict of Interest Act. The extent of services to be provided will be formalized as part of the agreement with Suzanne Craig.

Upon successful completion of an agreement with Suzanne Craig, a by-law formally appointing her as the Integrity Commissioner for Halton will be brought forward as part of a subsequent agenda for Council approval.

FINANCIAL/PROGRAM IMPLICATIONS

The annual cost of Integrity Commissioner services varies as it depends on the services that they are called upon to perform, which is driven by requests for advice, educational information and other supports as well as inquiries into complaints received. The cost for this service has been estimated based on previous experience, with an upset limit of \$22,400 (excluding taxes) for the term of July 1, 2023 to December 31, 2027. There is sufficient funding in the annual operating budget of the Regional Clerk to support this award.

Respectfully submitted,



Jody Johnson  
Director, Legal Services



Bob Gray  
Commissioner, Legislative and Planning  
Services and Corporate Counsel

Approved by



Jane MacCaskill  
Chief Administrative Officer

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

Jody Johnson

Tel. # 7254

Attachments: None



VIA EMAIL

June 7, 2023

Legislative & Planning Services  
Department  
Office of the Regional Clerk  
1151 Bronte Road  
Oakville ON L6M 3L1

Kevin Arjoon, City Clerk, City of Burlington  
Meaghen Reid, Town Clerk, Town of Milton  
Vicki Tytaneck, Town Clerk, Town of Oakville  
Valerie Petryniak, Town Clerk, Town of Halton Hills  
Lisa Campion, Town of Erin  
Jennifer Adams, County of Wellington  
Behnam Doulatyari, Chair of the Credit Valley-Toronto and Region-Central  
Lake Ontario Source Protection Committee  
Elizabeth Forrest, Ministry of the Environment, Conservation and Parks

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Please be advised that at its meeting held Wednesday, May 24, 2023, the Council of the Regional Municipality of Halton adopted the following resolution:

**RESOLUTION: PW-19-23 - 2023 Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Plan Policy Amendments Under Section 34 of the *Clean Water Act*, 2006**

1. THAT Regional Council endorse the proposed policy amendments (DNAP-1 and OS-1) including explanatory text, to the Source Protection Plan under Section 34 of the Clean Water Act, 2006 for the Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Region as outlined in Report No. PW-19-23 re: "2023 Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Plan Policy Amendments Under Section 34 of the Clean Water Act, 2006".
2. THAT the Regional Clerk forward a copy of Report No. PW-19-23 to the City of Burlington, the Town of Halton Hills, the Town of Milton, the Town of Oakville, the Town of Erin, Wellington County, the Chair of the Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Committee, and the Ministry of the Environment, Conservation and Parks for their information.

Regional Municipality of Halton

HEAD OFFICE: 1151 Bronte Rd, Oakville, ON L6M 3L1

905-825-6000 | Toll free: 1-866-442-5866

Included please find a copy of Report No. PW-19-23 for your information. If you have any questions please contact me at the e-mail address below.

Sincerely,



Graham Milne  
Regional Clerk  
[graham.milne@halton.ca](mailto:graham.milne@halton.ca)



**The Regional Municipality of Halton**

Report To:	Regional Chair and Members of Regional Council
From:	Andrew Farr, Commissioner, Public Works
Date:	May 24, 2023
Report No:	PW-19-23
Re:	2023 Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Plan Policy Amendments Under Section 34 of the <i>Clean Water Act, 2006</i>

**RECOMMENDATION**

1. THAT Regional Council endorse the proposed policy amendments (DNAP-1 and OS-1) including explanatory text, to the Source Protection Plan under Section 34 of the *Clean Water Act, 2006* for the Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Region as outlined in Report No. PW-19-23 re: “2023 Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Plan Policy Amendments Under Section 34 of the *Clean Water Act, 2006*”.
2. THAT the Regional Clerk forward a copy of Report No. PW-19-23 to the City of Burlington, the Town of Halton Hills, the Town of Milton, the Town of Oakville, the Town of Erin, Wellington County, the Chair of the Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Committee, and the Ministry of the Environment, Conservation and Parks for their information.

**REPORT**

**Executive Summary**

- As noted in Report No. PW-34-15/LPS113-15 re: “Source Protection Plan Implementation Requirements Under the *Clean Water Act, 2006*”, the three Source Protection Plans that impact Halton Region: Halton-Hamilton; Lake Erie; and Credit Valley - Toronto and Region - Central Lake Ontario, were approved by the Ministry of the Environment, Conservation and Parks in 2015 and came into effect between December 2015 and July 2016. The portion of the Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Region within Halton Region that is affected by proposed policy amendments is shown on Attachment #1.

- Since approval of the Source Protection Plans, staff have been working with Local Municipalities and residents/businesses to implement the Plans, which are intended to protect the quality and quantity of Halton Region’s municipal water supplies.
- The *Clean Water Act, 2006* enables Source Protection Plans and Assessment Reports to be revised. The Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Region has identified some policies where improvements could be made to improve policy implementation. The Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Region has elected to propose revisions to those policies through a Section 34 amendment, which is a locally initiated amendment. A previous Section 34 amendment to the Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Plan was reported to Regional Council in 2018 as noted in Report No. PW-23-18/LPS52-18 re: “CTC Source Protection Plan Policy Amendments Under Section 34 of the *Clean Water Act, 2006*”.
- The proposed policy revisions are anticipated to improve overall clarity and implementation of policies pertaining to properties where dense non-aqueous phase liquids and/or organic solvents are present.
- Dense non-aqueous phase liquids and organic solvents are chemicals that frequently are used in industrial and commercial applications such as dry cleaning, cleaning/degreasing solvents, pharmaceuticals, varnishes and the repair of motor vehicles and equipment. These chemicals also can be found in small quantities in common household products such as aerosols and cleaners.
- The policy revisions provide clarity on measurement criteria and expand the use of risk management plans (rather than prohibition policies) to address threats from smaller quantities of dense non-aqueous phase liquids and organic solvents. Clarification is also provided in terms of existing versus future threats for new/updated Drinking Water Systems.
- The proposed amendments also include changes relevant to some of the drinking water sources for the Regional Municipality of Peel, the City of Toronto and the Regional Municipality of York and do not affect Halton Region.
- The Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Region has asked that the municipalities that may be affected by any of the proposed amendments to endorse the amendments through their respective Councils by May 2023.
- Following Council Resolutions, the Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Region will undertake a 35-day public consultation process before submitting the proposed amendments to the local Source

Protection Authorities for endorsement and the Ministry of the Environment, Conservation and Parks for approval.

## **Background**

As reported to Regional Council in several reports over the last decade, the Province of Ontario has implemented a regulatory framework that provides a proactive multi-barrier approach to safeguard municipal drinking water. The *Clean Water Act, 2006* provides a protective framework that focuses on protecting municipal drinking water at its source through the mandatory implementation of Source Protection Plans.

As noted in Report No. PW-34-15/LPS113-15 re: “Source Protection Plan Implementation Requirements Under the *Clean Water Act, 2006*”, the three Source Protection Plans that impact Halton Region were approved by the Ministry of the Environment, Conservation and Parks (then called the Ministry of Environment and Climate Change) in 2015 and came into effect between December 2015 and July 2016.

As part of the approved Source Protection Plans, Halton Region and other municipalities are mandated to implement several Plan policies, including risk management, land use planning, and education and outreach policies. Halton Region staff also coordinates with Local Municipal staff to implement policies, with the Local Municipal staff employing additional tools, such as inspections of private septic systems in areas that may pose risks to municipal drinking water sources.

Through ongoing implementation of the Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Plan policies, staff from implementing agencies, including Halton Region, have identified some policies where revisions are warranted to improve clarity and implementation. The *Clean Water Act, 2006* enables Source Protection Plans and Assessment Reports to be revised. As such, through collaboration and consultation with Local Municipal staff, the Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Region has identified policies where improvements could be made to facilitate policy implementation, in addition to the amendments that apply specifically to drinking water sources within the Regional Municipality of Peel, the City of Toronto and the Regional Municipality of York.

The *Clean Water Act, 2006* provides four methods through which Source Protection Plans and Assessment Reports may be revised: minor and administrative amendments (Section 51 of O. Reg. 287/07); locally initiated amendments (Section 34); amendments made by Minister of Environment, Conservation and Parks order (Section 35); and amendments made through a mandated review (Section 36). The Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Region has elected to make the proposed amendments under Section 34 of the *Clean Water Act, 2006*.

## Discussion

Staff participated in an Amendments Working Group established by the Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Region that consisted of staff from member conservation authorities and municipalities. The Working Group developed draft recommendations for amendments to the Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Plan, including policies (DNAP-1 and OS-1). The main objectives of the recommended policy amendments are to:

- provide clarity of policy intent;
- address gaps in the policies; and,
- provide reasonable flexibility in policy implementation.

The draft recommendations were reviewed by staff from Halton Region and other municipalities, and comments were provided to the Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Region. The Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Region considered the feedback received from Local Municipal staff in the development of the updated recommendations for amendments to the Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Region Source Protection Plan policies. The proposed revisions that affect Halton Region are provided as Attachment #2 to this report.

In summary, the proposed amendments:

- Introduce clear volume-based thresholds to determine when dense non-aqueous phase liquids and organic solvents will be managed by prohibition, risk management, or education and outreach policies;
- Adopt a risk management approach for dense non-aqueous phase liquids and organic solvents for specified volumes in most areas where Source Protection Plan policies apply;
- Exclude application of policies in situations where the storage and handling of small volumes of these materials are unlikely to result in a risk to sources of municipal drinking water; and,
- Include minor revisions to remove or clarify references to vulnerability scoring and align with the current Director's Technical Rules (2021).

In general, staff anticipate that the proposed revisions will accomplish the objectives of enhancing policy clarity and increasing the flexibility for policy implementation while still being protective of sources of municipal drinking water. Therefore, staff has no objections to the proposed revisions.

Prior to conducting public consultation on a Section 34 Amendment, the *Clean Water Act, 2006* requires that source protection authorities obtain a municipal council resolution from each municipality affected by the amendments. A municipality may be considered "affected" if it is located within a geographic area related to the amendments, and / or the municipality is responsible for taking actions or otherwise implementing source protection

policies related to the amendments. Halton Region is affected by some of the proposed amendments to the Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Plan, and in particular the changes to the DNAP-1 and OS-1 policies. Therefore, the Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Region is requesting a Regional Council Resolution in support of the proposed amendments. As properties likely to be affected by the policy changes are located in the Town of Halton Hills, Town staff have indicated that a similar resolution will be taken to Town Council later in May 2023. As there are no properties affected by the policy changes in the Town of Milton and Town of Oakville, a resolution was not requested by the Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Region.

***Next Steps:***

Following the Regional Council Resolution in support of the policy amendments, the Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Committee will review the Council Resolutions and any comments received at the Source Protection Committee meeting in June 2023. The Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Region will then begin the public consultation process to be completed over a 35-day period between late June 5 and July 12, 2023. The Section 34 Amendment will be endorsed by the three Source Protection Authorities in the Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Region following the public consultation process and prior to submission of the Section 34 Amendment to the Ministry of the Environment, Conservation and Parks in September 2023 for approval. Halton Region staff will continue to work to implement the Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Plan policies in coordination with the Local Municipalities, adjacent municipalities, and Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Region staff.

## FINANCIAL/PROGRAM IMPLICATIONS

There are no financial impacts arising from this report. Costs associated with the implementation of Source Protection Plan policies are included in the rate-supported operating budget.

Respectfully submitted,



Lee Anne Jones  
Director, Infrastructure Planning and Policy



Andrew Farr  
Commissioner, Public Works

Approved by



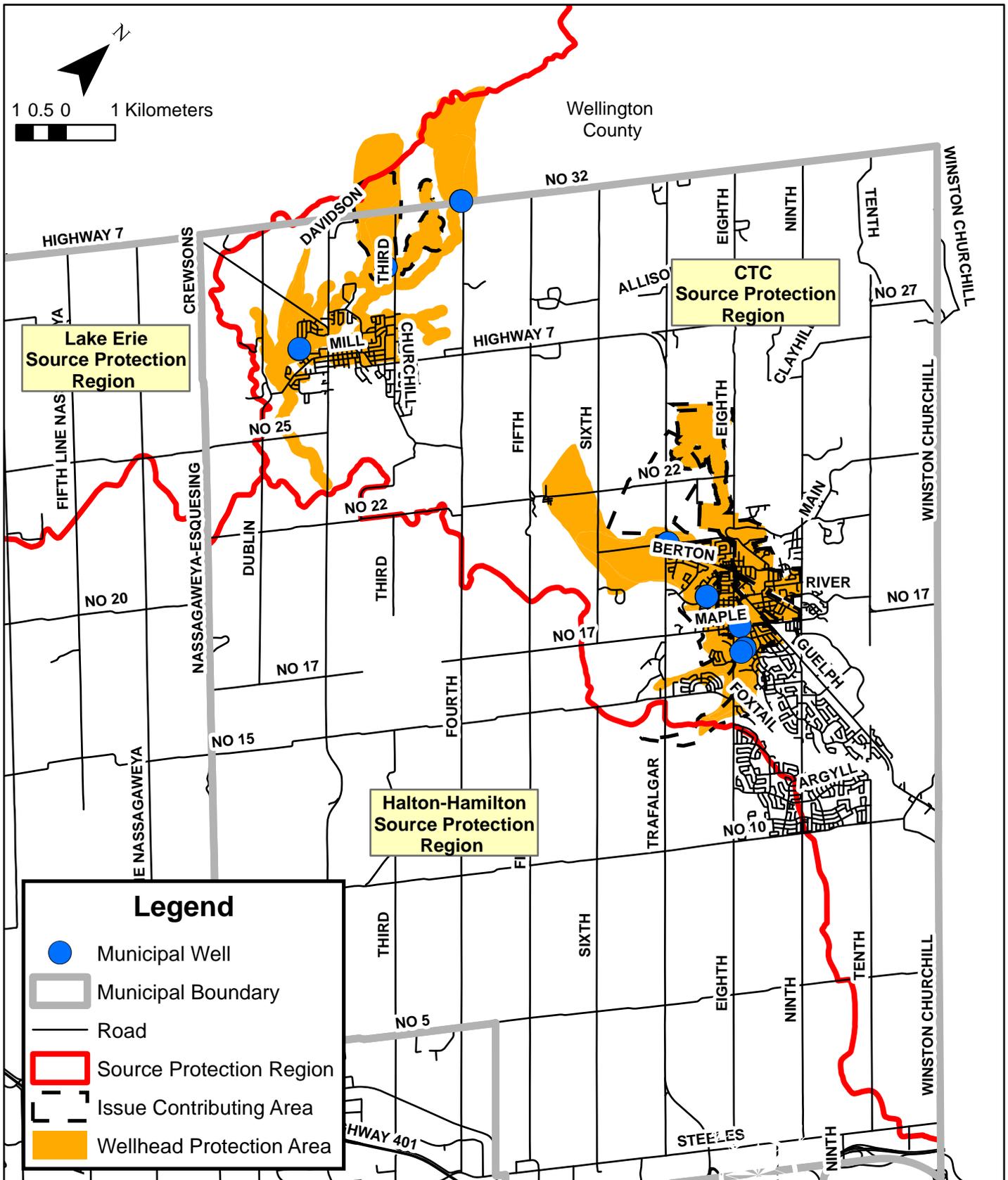
Jane MacCaskill  
Chief Administrative Officer

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

Lee Anne Jones

Tel. # 7547

Attachments: Attachment #1 - Credit Valley, Toronto and Region, Central Lake Ontario (CTC) Source Protection Region within Halton Region Impacted by Section 34 Policy Amendment  
Attachment #2 - Amendments to the Source Protection Plan Policies for the Credit Valley, Toronto and Region, Central Lake Ontario (CTC) Source Protection Region under Section 34 of the *Clean Water Act, 2006*



**Legend**

- Municipal Well
- Municipal Boundary
- Road
- Source Protection Region
- Issue Contributing Area
- Wellhead Protection Area



**CTC Source Protection Region within Halton Region  
Impacted by Section 34 Policy Amendment**

PUBLIC WORKS

March 2023

Source: (Wellhead Protection Area and Issue Contributing Area) Approved Source Protection Plan, December 31, 2015

**Appendix A: Summary of Updates to CTC Source Protection Plan**

No.	Section or Figure	Brief Description of Anticipated Amendment	Estimated Timing to Submit Proposed Amendment to Ministry of the Environment, Conservation, and Parks
<b>CTC Source Protection Plan</b>			
1.	Preface	Preface/Version Control: Update to note DTR version used for updates, amendment description	September 2023
2.	Chapter 5	Section 5.1.10 Included description of consultation on amendments	September 2023
3.	Chapter 7	Section 7.2 Updated transport pathways section text	September 2023
4.	Chapter 8	Section 8.3. Summary of amendments update	September 2023
5.	Chapter 9	Section 9.2 Clarification on use of 2021 DTR's	September 2023
6.	Chapter 10	Section 10.1.2 Updated definitions for Existing Threat Activity, Transition, and Amendments.	September 2023
7.	Chapter 10	Section 10.1.3 Updates to text and table 10-1 to reflect changes to Existing Threat Activity, Transition, and Amendments definitions	September 2023
8.	Chapter 10	Table 10-1 Policy T-6 deadlines clarification	September 2023
9.	Chapter 10	Updates to Tables 10-2 to 10-14 to show where significant threats can exist under different Director's Technical Rules versions	September 2023
10.	Chapter 10	Section 10.10 Proposed DNAP-1 and OS-1 policy amendments	September 2023
11.	Chapter 11	Update to include Director's Technical Rule (DTR) acronym	September 2023
12.	Chapter 12	Update to include Definition for Director's Technical Rule (DTR)	September 2023

The source protection plan amendments can be [downloaded using this link](#).

Please note, the amendments outlined in the table are only those relevant to Halton Region.

### 10.1.2 Definitions

#### Existing Threat Activity

[The CTC Source Protection Plan was approved by the Minister of the Environment and Climate Change on July 28, 2015 and became effective on December 31, 2015.](#)

An existing threat activity shall mean the following, unless expressly stated in a policy:

- a) an existing use, activity, building or structure at a location in a vulnerable area that is in compliance with all applicable requirements, and that was being used or had been established for the purposes of undertaking the threat activity, at any time within ten years prior to the date of approval of the Source Protection Plan [or applicable amendment](#), or
- b) an expansion of an existing use or activity that reduces the risk of contaminating drinking water nor depletes drinking water sources, or
- c) an expansion, alteration or replacement of an existing building or structure that does not increase the risk of contaminating drinking water nor depletes drinking water sources.

For clarity, the definition of an existing threat activity includes a change in land ownership and the rotation of agricultural lands among crops or fallow conditions and allows for alternating between sources of nitrates (agricultural source material, commercial fertilizer, and Category 1 non-agricultural source material).

Future threat activities are anything not covered under existing.

#### Transition

Under the *Clean Water Act, 2006*, there is consideration for ~~source protection plans (SPPs)~~ to have a Transition Provision that outlines the circumstances under which a “future” drinking water threat activity, that would otherwise be prohibited, may be considered as “existing”, even if the activity has not yet commenced. The intent is to allow applications in ~~transition progress~~ to proceed while drinking water threats are managed under the “existing threat” policies.

The CTC Source Protection Committee included a Transition Provision to recognize situations where an approval-in-principle to proceed with a development application had already been obtained, or where a complete application was made prior to the date the SPP came into effect but requires further planning approvals to implement the application in progress.

~~The CTC SPP was approved by the Minister of Environment and Climate Change on July 28, 2015 and became effective on December 31, 2015.~~ Applications submitted after the effective date of the CTC SPP may only be transitioned if they are [helping to implement a necessary part of](#) an application in process prior to the date the CTC SPP took effect.

“Existing Threat” policies apply to prescribed drinking water threat activities under the following circumstances:

- 1) A drinking water threat activity that is part of a development proposal where a ~~complete~~ complete ~~Application~~ Application (as determined by the municipality or Niagara Escarpment Commission) was made under the *Planning Act, Condominium Act* or *Niagara Escarpment Planning and Development Act* (NEPDA) prior to ~~the day the Source Protection Plan comes into effect~~ December 31, 2015. The policy for “existing” drinking water threats also applies to any further applications required under the *Planning Act, Condominium Act*, Prescribed Instruments, or a development permit under the NEPDA, to implement the development proposal.
- 2) A drinking water threat activity that is part of an application accepted for a Building Permit, which has been submitted in compliance with Division C 1.3.1.1 of the *Ontario Building Code* under the *Building Code Act, 1992* as amended prior to ~~the day the Source Protection Plan comes into effect~~ December 31, 2015.
- 3) A drinking water threat activity that is part of an application accepted for the issuance or amendment of a Prescribed Instrument prior to ~~December 31, 2015~~ the day the Source Protection Plan comes into effect.

### Amendments

For vulnerable areas newly identified through an amendment to an Assessment Report, “Existing Threat” policies apply to prescribed drinking water threat activities under the following circumstances:

- 1) A drinking water threat activity that is part of a development proposal where a complete application (as determined by the municipality or Niagara Escarpment Commission) was made under the Planning Act, Condominium Act or Niagara Escarpment Planning and Development Act (NEPDA) prior to the effective date of the corresponding amendment identified below. The policy for “existing” drinking water threats also applies to any further applications required under the Planning Act, Condominium Act, Prescribed Instruments, or a development permit under the NEPDA, to implement the development proposal.
- 2) A drinking water threat activity that is part of an application accepted for a Building Permit, which has been submitted in compliance with Division C 1.3.1.1 of the Ontario Building Code under the Building Code Act, 1992 as amended prior to effective date of the corresponding amendment identified below.
- 3) A drinking water threat activity that is part of an application accepted for the issuance or amendment of a Prescribed Instrument prior to the effective date of the corresponding amendment identified below.

<u>Assessment Report</u>	<u>Version</u>	<u>Effective Date</u>	<u>Summary of Amendments</u>
<u>Credit Valley Assessment Report</u>	<u>2.0</u>	<u>March 25, 2019</u>	<u>Addition of Wellhead Protection Areas, Vulnerability Assessment and Threats Enumeration for Inglewood Drinking Water System</u>

<a href="#">Credit Valley Assessment Report</a>	<a href="#">3.0</a>	<a href="#">December 5, 2019</a>	<a href="#">Addition of Wellhead Protection Areas, Vulnerability Assessment and Threats Enumeration for Alton Well 4A, Caledon Village – Alton Drinking Water System</a>
<a href="#">Credit Valley Assessment Report</a>	<a href="#">5.0</a>	<a href="#">To be confirmed</a>	<a href="#">Updated Wellhead Protection Areas, Vulnerability Assessment and Threats Enumeration for Caledon Village – Alton Drinking Water System</a>
<a href="#">Toronto and Region Assessment Report</a>	<a href="#">3.0</a>	<a href="#">March 25, 2019</a>	<a href="#">Addition of Wellhead Protection Areas, Vulnerability Assessment and Threats Enumeration for Caledon East Drinking Water System</a>
<a href="#">Toronto and Region Assessment Report</a>	<a href="#">4.0</a>	<a href="#">March 2, 2022</a>	<a href="#">Updated Wellhead Protection Areas, Vulnerability Assessment and Threats Enumeration for Newmarket-Aurora Drinking Water System</a>
<a href="#">Toronto and Region Assessment Report</a>	<a href="#">6.0</a>	<a href="#">To be confirmed</a>	<a href="#">Updated Wellhead Protection Areas, Vulnerability Assessment and Threats Enumeration for Palgrave-Caledon East Drinking Water System; Addition of New Intake Protection Zone, Vulnerability Assessment and EBA modelling for City of Toronto (Island) Drinking Water System; Addition of Wellhead Protection Area-A for Nobleton Drinking Water System</a>

### 10.1.3 Timelines for Implementation

The following table (**Table 10-1**) outlines the implementation timelines for the policies in the Source Protection Plan. In the policy tables organized by threat, the third column from the right called “When Policy Applies” contains a brief description of the timeline associated with the existing or future policy and the timeline code (i.e., T-1, T-2), that corresponds to the timelines outlined in the following table. These timeline policies (**Table 10-1**) provide greater detail on when the policy applies than the short reference contained within the threat specific policy. [For threat activities \(existing\) added through amendments to an Assessment Report, timelines for policy implementation that reference the date the Source Protection Plan takes effect are interpreted to mean the effective date of the amendment to the Assessment Report, as described above.](#)

**Table 10-1: Timelines for Policy Implementation**

Policy ID	Timelines for Policy Implementation
<b>Prescribed Instruments</b>	
T-1	Prescribed Instruments (existing) shall be reviewed (and amended, as necessary) within 3 years of the date the Source Protection Plan takes effect, or such other date as the Director determines.
T-2	Prescribed Instruments (existing), where prohibited, shall not be renewed when the current Prescribed Instrument expires, and the significant threat activity to which the Prescribed Instrument pertains, shall cease no later than 5 years from the date the Source Protection Plan takes effect.
T-3	The relevant Ministry shall comply with the Prescribed Instrument policy (future) immediately upon the date the Source Protection Plan takes effect.
<b>Part IV Tools</b>	
T-4	Activities (existing) designated for the purpose of s.57 under the Clean Water Act as prohibited, shall be prohibited by the Risk Management Official within 180 days from the date the Source Protection Plan takes effect as per s.57(2) under the Clean Water Act, unless otherwise specified within the policy.
T-5	Activities (future) designated for the purpose of s.57 under the Clean Water Act are prohibited immediately upon the date the Source Protection Plan takes effect.
T-6	Activities (existing) designated for the purpose of s.58 under the Clean Water Act, requiring risk management plans, shall be identified and confirmed within 1 year by the Risk Management Official. Risk management plans shall be established <a href="#">by December 31, 2023. For activities (existing) added through amendments to an Assessment Report, a risk management plan must be established no later than 5 years from the effective date of the amended Assessment Report.</a>
T-7	Activities (future) designated for the purpose of s.58 under the Clean Water Act, requiring risk management plans, are prohibited until such time as a risk management plan is approved by the Risk Management Official, immediately upon the date the Source Protection Plan takes effect.
<b>Land Use Planning</b>	
T-8	Official plans shall be amended for conformity with the Source Protection Plan at the time of the next review in accordance with s.26 of the Planning Act. Zoning by-laws shall be amended within 3 years after the approval of the official plan.
T-9	Decisions on planning matters shall conform with the policy immediately upon the date the Source Protection Plan takes effect.
<b>Education and Outreach, Incentives, Research</b>	
T-10	Education and outreach (materials, programs, etc.) shall be developed and implemented within 2 years from the date the Source Protection Plan takes effect.
T-11	Incentives shall be considered within 2 years from the date the Source Protection Plan takes effect.
T-12	Research shall be initiated within 2 years from the date the Source Protection Plan takes effect, contingent on funding.
<b>Specify Action</b>	
T-13	A prioritized maintenance inspection program shall be in effect no later than January 2017.
T-14	The policy shall be complied with within 180 days from the date the Source Protection Plan takes effect.
T-15	The policy shall be considered within 2 years from the date the Source Protection Plan takes effect.
T-16	The policy shall be initiated within 2 years from the date the Source Protection Plan takes effect.
T-17	The policy shall be implemented within 2 years from the date the Source Protection Plan takes effect.
T-18	The policy shall be implemented immediately upon the date the Source Protection Plan takes effect.

~~\*Note: in July 2020, the implementation deadline for SPP policy T-6 was extended by 3 years until Dec. 31, 2023.~~

Policy ID	Threat Description	Implementing Body	Legal Effect	Policy	Where Policy Applies	When Policy Applies	Related Policies	Monitoring Policy
DNAP-1	Handling and Storage of a Dense Non-Aqueous Phase Liquid	RMO	G	<p><b>Part IV, s.57, s.58</b></p> <p>Where the handling and storage of a DNAPL is, or would be, a significant drinking water threat, the following actions shall be taken:</p> <p>1) <u>a) The handling and storage of a DNAPLs of a total <del>in any</del> quantity of 250L or greater (excluding incidental quantities for personal use) is designated for the purpose of s.57 under the <i>Clean Water Act</i>, and is therefore prohibited where the threat would be significant in any of the following areas:</u></p> <ul style="list-style-type: none"> <li>• <del>WHPA-A (future); or</del></li> <li>• WHPA-B (future); or</li> <li>• WHPA-C (future); <u>or</u></li> <li>• <u>WHPA-E (future).</u></li> </ul> <p><u>b) The handling and storage of DNAPLs of a total greater than 25L but less than 250L, is designated for the purposes of s.57 under the <i>Clean Water Act</i>, and is therefore prohibited where the threats would be significant in any of the following areas:</u></p> <ul style="list-style-type: none"> <li>• <u>WHPA-A (future)</u></li> </ul>	See Maps 2.1 - 2.21	Future: Immediately (T-5)	GEN-1	MON-2
			H	<p>2) <u>a) The handling and storage of a DNAPLs of a total <del>in any</del> quantity of 25L or greater (excluding incidental quantities for personal use) is designated for the purpose of s.58 under the <i>Clean Water Act</i>, requiring risk management plans, where the threat is significant in any of the following areas:</u></p> <ul style="list-style-type: none"> <li>• WHPA-A (existing); or</li> <li>• WHPA-B (existing); or</li> <li>• WHPA-C (existing); <u>or-</u></li> <li>• <u>WHPA-E (existing)</u></li> </ul> <p><u>b) The handling and storage of DNAPLs of a total quantity greater than 25L but less than 250L, is designated for the purpose of s.58 under the <i>Clean Water Act</i>, requiring risk management plans, where the threat would be significant in any of the following areas:</u></p> <ul style="list-style-type: none"> <li>• <u>WHPA-B (future); or</u></li> <li>• <u>WHPA-C (future); or</u></li> <li>• <u>WHPA-E (future).</u></li> </ul>		Existing: 1 year/ 5 years (T-6)	GEN-1 GEN-2	MON-2

Policy ID	Threat Description	Implementing Body	Legal Effect	Policy	Where Policy Applies	When Policy Applies	Related Policies	Monitoring Policy
<b>DNAP-2</b>	Handling and Storage of a Dense Non-Aqueous Phase Liquid	Municipality  MECP	E  K	<p><b>Education and Outreach</b></p> <p>The municipality shall deliver education and outreach materials and programs where the handling and storage of a DNAPL is, or would be, a significant drinking water threat, targeted towards:</p> <p>a) an individual for personal use to promote the use of non-toxic products and additional opportunities for participation in household hazardous waste disposal and to advise the owner/tenant about the actions to take to ensure that the activity ceases to be, or does not become, a significant drinking water threat; and</p> <p>b) industrial and commercial users to promote the use of alternatives to DNAPLs (including non-toxic products), pollution prevention approaches, best management practices, and safe disposal; in any of the following areas:</p> <ul style="list-style-type: none"> <li>• WHPA-A (existing, future); or</li> <li>• WHPA-B (existing, future); or</li> <li>• WHPA-C (existing, future)</li> </ul> <p>Where appropriate education and outreach materials prepared by the Ministry of the Environment, Conservation and Parks are available, the municipality shall deliver those materials.</p>	See Maps 2.1 - 2.21	Existing & Future: Implement within 2 years (T-10)	GEN-8	MON-1  MON-4
<b>DNAP-3</b>	Moderate/Low Threats  Handling and Storage of a Dense Non-Aqueous Phase Liquid	Municipality	J	<p><b>Specify Action</b></p> <p>Where the handling and storage of a DNAPL is, or would be, a moderate or low drinking water threat, the municipality is encouraged to specify and promote best management practices for the handling and storage of a DNAPL for Industrial, Commercial and Institutional (ICI) land uses in any of the following areas:</p> <ul style="list-style-type: none"> <li>• WHPA-D (existing, future); or</li> <li>• WHPA-E (VS ≥ 4.8 and &lt;10) (existing, future); or</li> <li>• HVA (existing, future).</li> </ul>	See Chapter 5 of the respective Assessment Report	Existing & Future: Consider within 2 years (T-15)	N/A	N/A

Policy ID	Threat Description	Implementing Body	Legal Effect	Policy	Where Policy Applies	When Policy Applies	Related Policies	Monitoring Policy
OS-1	Handling and Storage of an Organic Solvent	RMO	G	<p><b>Part IV, s.57, s.58</b></p> <p>Where the handling and storage of an organic solvent is, or would be, a significant drinking water threat, the following actions shall be taken:</p> <p>1) <u>a)</u> The handling and storage of an organic solvent is designated for the purpose of s.57 under the <i>Clean Water Act</i>, and is therefore prohibited where the threat would be significant in <del>any of</del> the following areas:</p> <ul style="list-style-type: none"> <li>• WHPA-A (future); <del>or</del></li> <li>• <del>WHPA-B (VS=10) (future).</del></li> </ul> <p><u>b)</u> The handling and storage of an organic solvent of a total quantity greater than 250L, is designated for the purposes of s.57 under the <i>Clean Water Act</i>, and is therefore prohibited where the threat would be significant in the following area:</p> <ul style="list-style-type: none"> <li>• <u>WHPA-B (VS=10) (future)</u></li> </ul>	See Maps 1.1 - 1.21	Future: Immediately (T-5)	GEN-1	MON-2
			H	<p>2) <u>a)</u> The handling and storage of an organic solvent is designated for the purpose of s.58 under the <i>Clean Water Act</i>, requiring risk management plans, where the threat is significant in any of the following areas:</p> <ul style="list-style-type: none"> <li>• WHPA-A (existing); or</li> <li>• WHPA-B (VS=10) (existing).</li> </ul> <p><u>b)</u> The handling and storage of an organic solvent of a total quantity greater than 25L but not more than 250 L, is designated for the purpose of s.58 under the <i>Clean Water Act</i>, requiring risk management plans, where the threat would be significant in the following area:</p> <ul style="list-style-type: none"> <li>• <u>WHPA-B (VS=10) (future)</u></li> </ul>		Existing: 1 year/ 5 years (T-6)	GEN-1 GEN-2	MON-2

Policy ID	Threat Description	Implementing Body	Legal Effect	Policy	Where Policy Applies	When Policy Applies	Related Policies	Monitoring Policy
OS-2	Handling and Storage of an Organic Solvent	Municipality  MECP	E  K	<p><b>Education and Outreach</b></p> <p>The municipality shall deliver education and outreach materials and programs where the handling and storage of an organic solvent is, or would be, a significant drinking water threat, targeted towards:</p> <p>a) an individual for personal use to promote the use of non-toxic products and additional opportunities for participation in household hazardous waste disposal and to advise the owner/tenant about the actions to take to ensure that the activity ceases to be, or does not become, a significant drinking water threat; and</p> <p>b) industrial and commercial users to promote the use of alternatives to these chemicals (including non-toxic products), pollution prevention approaches, best management practices, and safe disposal; in any of the following areas:</p> <ul style="list-style-type: none"> <li>• WHPA-A (existing, future); or</li> <li>• WHPA-B (VS = 10) (existing, future).</li> </ul> <p>Where appropriate education and outreach materials prepared by the Ministry of the Environment, Conservation and Parks are available, the municipality shall deliver those materials.</p>	See Maps 1.1 - 1.21	Existing & Future: Implement within 2 years (T-10)	GEN-8	MON-1  MON-4

<p><b>OS-3</b></p>	<p><b>Moderate/ Low Threats</b></p> <p>Handling and Storage of an Organic Solvent</p>	<p>Municipality</p>	<p>J</p>	<p><b>Specify Action</b></p> <p>Where the handling and storage of an organic solvent is, or would be, a moderate or low drinking water threat, the municipality is encouraged to specify and promote best management practices for the handling and storage of an organic solvent for Industrial, Commercial and Institutional (ICI) land uses in any of the following areas:</p> <ul style="list-style-type: none"> <li>• WHPA-B (VS &lt; 10) (existing, future); or</li> <li>• WHPA-C (existing, future); or</li> <li>• WHPA-D (existing, future); or</li> <li>• WHPA-E (VS ≥ 4.8 and &lt;10) (existing, future); or</li> <li>• HVA (existing, future).</li> </ul>	<p>See Chapter 5 of the respective Assessment Report</p>	<p>Existing &amp; Future: Consider within 2 years (T-15)</p>	<p>N/A</p>	<p>N/A</p>
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VIA EMAIL

June 8, 2023

Legislative & Planning Services  
Department  
Office of the Regional Clerk  
1151 Bronte Road  
Oakville ON L6M 3L1

Kevin Arjoon, City Clerk, City of Burlington  
Meaghan Reid, Town Clerk, Town of Milton  
Vicki Tytaneck, Town Clerk, Town of Oakville  
Valerie Petryniak, Town Clerk, Town of Halton Hills  
Heather Watt, Ministry of Municipal Affairs and Housing

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Please be advised that at its meeting held Wednesday, May 24, 2023, the Council of the Regional Municipality of Halton adopted the following resolution:

**RESOLUTION: LPS43-23 - Halton Region's response to Bill 97: *Helping Homebuyers, Protecting Tenants Act, 2023* and the Draft New Provincial Planning Statement (2023)**

1. THAT Report No. LPS43-23 be endorsed as a basis for Halton's submissions on the matters posted to the Environmental Registry of Ontario related to the 'Review of proposed policies adapted from A Place to Grow and Provincial Policy Statement to form a new provincial planning policy instrument'.
2. THAT a copy of Report No. LPS43-23 be forwarded to the Ministry of Municipal Affairs and Housing, the City of Burlington, the Town of Halton Hills, the Town of Milton, and the Town of Oakville, for their information.

Included please find a copy of Report No. LPS43-23 for your information. If you have any questions please contact me at the e-mail address below.

Sincerely,

Graham Milne  
Regional Clerk  
[graham.milne@halton.ca](mailto:graham.milne@halton.ca)

Regional Municipality of Halton

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## The Regional Municipality of Halton

Report To:	Regional Chair and Members of Regional Council
From:	Bob Gray, Commissioner, Legislative and Planning Services and Corporate Counsel
Date:	May 24, 2023
Report No:	LPS43-23
Re:	Halton Region's response to Bill 97: <i>Helping Homebuyers, Protecting Tenants Act, 2023</i> and the Draft New Provincial Planning Statement (2023)

### RECOMMENDATION

1. THAT Report No. LPS43-23 be endorsed as a basis for Halton's submissions on the matters posted to the Environmental Registry of Ontario related to the 'Review of proposed policies adapted from A Place to Grow and Provincial Policy Statement to form a new provincial planning policy instrument'.
2. THAT a copy of Report No. LPS43-23 be forwarded to the Ministry of Municipal Affairs and Housing, the City of Burlington, the Town of Halton Hills, the Town of Milton, and the Town of Oakville, for their information.

### REPORT

#### **Executive Summary**

- On April 6, 2023, the Province of Ontario released legislative, regulatory, and policy related changes as a part of the Housing Supply Action Plan including the following:
  - *Bill 97, Helping Homebuyers, Protecting Tenants Act, 2023*, which amends the *Planning Act, Development Charges Act, 1997, Residential Tenancies Act, Building Code Act, 1992, the Municipal Act, 2001, City of Toronto Act, 2006*, and the *Ministry of Municipal Affairs and Housing Act* ([EROs #019-6821](#), [#019-6822](#), [#019-6847](#) – comments closed May 6, 2023);
  - a new proposed Provincial Planning Statement 2023 (proposed PPS 2023) ([ERO #019-6813](#) – comments close June 5, 2023) which proposes to merge

the Provincial Policy Statement 2020 (PPS 2020) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan 2019); and,

- a proposed [Approach to Implementation](#) statement related to the provision in Bill 23 regarding the removal of upper-tier planning responsibilities, which indicates that it is not anticipated to be proclaimed until winter 2024 at the earliest.
- If passed, changes to the *Planning Act* and the introduction of the PPS 2023 would make it more difficult to fulfill important community objectives like supporting housing supply coordinated with infrastructure, protecting the environment, protecting agriculture, addressing climate change and protecting employment lands.

## Background

Since 2018, the Provincial government has advanced a number of initiatives and legislative changes related to increasing the supply of housing in Ontario. These include:

- Consultations on ‘Increasing Housing Supply in Ontario’ (November 2018);
- Introduction of a ‘Housing Supply Action Plan’ (May 2019);
- Enactment of Bill 108, ‘*More Homes, More Choice Act*’ (June 2019);
- Enactment of Bill 197, ‘*COVID-19 Economic Recovery Act*’ (July 2020);
- Announcement of a Housing Affordability Task Force (December 2021);
- An Ontario-Municipal Housing Summit (January 2022);
- A report from the Ontario Housing Affordability Task Force (February 2022);
- Enactment of Bill 109, ‘*More Homes for Everyone Act*’ (April 2022);
- Enactment of Bill 23, ‘*More Homes, Built Faster Act*’ and Ontario’s Housing Supply Action Plan 2022-2023 (November 2022).

In addition, amendments to Section 23 of the *Planning Act* have been proclaimed that give the Minister power to amend an official plan that is deemed to adversely affect a matter of provincial interest. There is no process set out in the *Act* for informing or discussing with affected parties prior to implementation (the powers are similar to a Minister’s Zoning Order).

### Bill 97 - ‘Helping Homebuyers, Protecting Tenants Act’

Bill 97 proposes several legislative amendments of interest to Halton Region, including the following:

- New Ministerial powers with respect to Minister’s zoning Orders, that would, among other matters: exempt lands from complying with provincial statements, policies and plans and require landowners and municipalities to enter into agreements where the Provincial Land Development Facilitator has been appointed;

- New permissions regarding the powers of municipalities to regulate demolition and conversion of residential rental properties, including to pass a by-law requiring a landowner to provide compensation;
- Transition regulations regarding the applicability of a new PPS 2023;
- A new effective date for Bill 109 planning fee refunds - July 1, 2023 (formerly January 1, 2023); and,
- A revised definition of Area of Employment - prohibiting commercial uses (not associated with primary employment use) and institutional uses.

*‘Proposed Provincial Planning Statement 2023 (PPS 2023)’*

The proposed PPS 2023 would replace the existing Provincial Policy Statement (2020) and Growth Plan (2019) with a single policy document to provide policy direction on land use planning matters in Ontario. Key changes of the proposed PPS 2023 are summarized in Attachment #1.

**Discussion**

Halton Region acknowledges the common goal of addressing housing supply and affordability concerns in Ontario and the need for robust measures to achieve this goal. There are several policy changes in the proposed PPS 2023 that are not aligned with this goal and may reverse the community benefits Halton municipalities could achieve. The following sections of this report highlight policy changes and provide comments on how to improve the policies to ensure longstanding community goals related to housing, environmental protection, agriculture, climate change and employment lands are not compromised.

*Growth Forecasts and Strategic Growth Areas*

Provincially mandated residential and employment forecasts and intensification and density targets in the Growth Plan (2019) have been eliminated in the proposed PPS. These policies and approaches enabled more compact, higher density, and transit supportive development patterns to make better use of infrastructure. The removal of these specific policy tools in the proposed PPS deemphasizes intensification and the coordination of necessary infrastructure and services within built up areas and defined urban boundaries, which has been a longstanding approach to sustainable growth championed by Halton Region. In fast-growing regions of Ontario like the Greater Golden Horseshoe, it is important that municipalities are supported if they choose to require minimum intensification and density targets to direct growth within planned urban structures.

As a part of the implementation of the proposed PPS, local municipalities would be expected to undertake their own growth forecasts and land needs for 'at least' a 25-year planning horizon (the current framework requires growth planning for 'up to' 25-year horizon). These changes could potentially create inconsistencies when determining population and employment land needs resulting in difficulties in coordinating infrastructure planning for water and wastewater infrastructure, transportation systems and public services.

The PPS 2023 introduces a new concept of 'large and fast-growing municipalities', which include the City of Burlington, the Town of Milton and the Town of Oakville. These municipalities are required to identify strategic growth areas in the official plans as important growth nodes with density targets, which is a concept carried forward from the Growth Plan (2019). Halton Region is supportive of the Province's proposal to maintain the strategic growth areas concept from the Growth Plan, including Major Transit Station Areas with minimum density targets. The Growth Plan concept of Urban Growth Centres (UGC) as primary strategic growth areas with higher density targets is not included in the proposed PPS; however, it provides direction that adjustments to existing UGC boundaries can only be made through an Official Plan Amendment approved by the Minister. The proposed PPS does not clarify how these proposed changes would be transitioned in cases where an Official Plan Amendment has been approved to delineate these areas.

#### **Comments:**

1. The Province is encouraged to maintain a streamlined and adaptable land needs methodology as well as residential and employment forecasts and targets.
2. The Province should work with municipalities to establish a clear transition date for any future changes to Urban Growth Centres.

#### **Settlement Area Expansions**

The Municipal Comprehensive Review (MCR) process is no longer a requirement of the proposed PPS and there are no limits to the timing of when a boundary expansion can occur and how many can be requested during the planning horizon.

In addition, settlement boundary expansions can be initiated by private landowners or municipalities and 'required' policy tests that municipalities have to meet under current provincial policies to approve an expansion have been reduced to 'considerations' only. The *Planning Act* will continue to limit the ability to appeal refusals or non-decisions of such applications. The removal of the MCR process to meaningfully assess and make a determination on longer term land needs is concerning. In addition, the required Growth Plan policy tests to evaluate impacts of boundary expansions on watersheds, water resources and natural heritage systems have not been carried forward in the proposed PPS. The consequences of these changes would make it easier to remove farmland and ecological features and areas for urban development.

The proposed boundary expansion policies have also reduced the more stringent Growth Plan requirements for infrastructure analysis. The proposed PPS indicates that infrastructure capacity analysis should be “considered” when allowing a boundary expansion. These changes could have implications for Halton’s long-term approach to land use planning and infrastructure financing.

**Comments:**

1. Settlement boundaries should remain firm and adjusted by municipalities only through a comprehensive review process or similar assessment in accordance with policy tests to justify need and to minimize impacts to agriculture and natural and water resources.
2. The current provincial policies for infrastructure analysis for settlement boundary expansions should be maintained.

*Employment Areas and Employment Lands*

The definition of “employment areas” in the proposed PPS is revised to focus on heavy industry, manufacturing, warehousing and distribution uses. Other uses (such as retail, commercial and office) that can locate in mixed-use areas would no longer be considered employment. This change will remove any discretion municipalities have with regard to the broad range of employment generating uses that can be included in an employment area. The Planning Act will continue to limit the ability to appeal refusals or non-decisions of such applications.

Additionally, the proposed PPS prohibits official plans and zoning by-laws from containing provisions that are more restrictive than the employment policies of the PPS.

**Comments:**

1. The definition of employment area in the current provincial framework should be maintained, enabling municipalities the discretion to determine a broader range of uses that are appropriate to protect as employment-based clusters over the long-term.
2. Municipalities should have the discretion to be more restrictive than the proposed PPS 2023 policies related to employment conversions and introduction of sensitive uses on employment lands.

*Infrastructure Planning*

The proposed PPS includes policies that recognize the need to undertake comprehensive coordinated, integrated infrastructure planning to support local growth planning. Halton Region is supportive of the continued recognition that upper-tier municipalities have an

essential role in collaborating with Halton Municipalities to ensure proper planning, coordination, and delivery of infrastructure to support local growth planning. As noted in Report No. LPS48-23 re: “Updated Information on Potential Future Housing Units in the Development Pipeline,” the Region is undertaking an Integrated Master Plan that will provide strategies, policies, and tools required to meet future infrastructure needs to accommodate local housing and employment growth.

The proposed PPS 2023 maintains infrastructure policies that prioritize planning and investment in infrastructure and public services to support strategic growth areas. This is positive as cost savings can be achieved by ensuring that existing infrastructure is optimized before new infrastructure is built. However, the proposed PPS has eliminated the requirement for municipalities to establish and implement phasing policies to ensure the orderly progression of development and the cost-effective and timely provision of infrastructure and public service facilities. In addition, with the repeal of the Growth Plan, policy requirements for infrastructure capacity analysis, phasing, and efficiently utilizing existing infrastructure (i.e. promoting intensification and redevelopment within existing settlement areas) have been weakened or removed. The absence of these policy requirements could undermine efforts to ensure that infrastructure is planned and delivered to be cost effective for Halton taxpayers.

#### **Comments:**

1. Support the policy direction in the proposed PPS that promotes a coordinated, integrated, and comprehensive approach for infrastructure planning to accommodate local planning and growth management.
2. Maintain specific requirements in the current provincial related to phasing and master planning for growth and development. These policies are critical to ensure efficient and orderly planning and implementation of development and infrastructure to support growth.

#### **Agricultural and Rural Policies**

The proposed PPS 2023 includes substantial changes to provincial policies that protect agricultural and rural lands in Ontario. The proposed PPS permits additional residential units (up to two additional units) and residential lots (up to three additional residential lots) in prime agricultural areas. These changes are concerning for Halton and may result in long-term impacts to agriculture including fragmentation and loss of farmland, land use conflicts and trespassing issues. In addition, the proposed policies allow for increased residential development on rural lands by permitting multi-lot residential development with no restrictions on the number of lots or size. This new policy will result in loss and fragmentation of farmland, sprawl, strip residential development, depletion and degradation of natural areas and ground water resources and, and increased demand on municipalities to provide community services outside urban areas.

The proposed PPS also removes requirements for municipalities to protect the provincially mapped Agricultural System from the Growth Plan. This change weakens policies that ensure the long-term preservation of agricultural land, assets (such as agricultural infrastructure and processing operations) that are essential in sustaining a viable, close to market, agricultural industry.

The proposed policy changes also explicitly prohibit municipalities from passing Official Plan and Zoning By-law provisions that are more restrictive than these policies, except to address public health or safety concerns.

These changes will impede Halton's long-standing policy approach to preserve agricultural areas for food, farming, support services, and its ability to protect the rural countryside from residential encroachment and urban development.

### **Comments:**

1. The Province should not proceed with policy changes that require municipalities to permit additional residential units and residential lot creation in prime agricultural areas. The current provincial policies that provide greater protections for agricultural areas should be maintained.
2. If the Province proceeds with changes to permit residential development in prime agricultural lands, municipalities should have the discretion to consider more restrictive policies to protect against non-farming uses that would potentially take agricultural lands out of production.
3. The proposed PPS should be revised to require municipalities to undertake a systems-based approach to protecting and preserving the agricultural system based on provincial mapping or guidance.

### **Natural Heritage**

The Province has not yet released its proposed approach to the natural heritage policies and definitions of the proposed PPS 2023. However, language throughout the proposed document signals a change in emphasis from the conservation of biodiversity and safeguarding of crucial ecological processes to favouring mechanisms that increase housing supply.

While the proposed PPS maintains direction to identify water resources systems, details about groundwater, surface water, shorelines, functions and linkages have been removed. This change provides limited guidance on what should be considered in the identification of water resource systems. Additionally, the proposed policies only 'encourage' rather than 'require' planning authorities to undertake watershed planning. This is concerning, as watershed planning has had many benefits in Halton from informing infrastructure planning and preparing these services for impacts of climate change to

protecting vulnerable source water features and areas at a larger-scale for municipal water supplies.

Natural heritage systems are critically important for supporting biological diversity, mitigating climate change, enhancing public health, and reducing the risk of species loss. Regional Council has demonstrated leadership in natural area planning since establishing a vision for a protected regional-scale natural heritage system in the Regional Official Plan in the 1980s.

**Comments:**

1. The proposed PPS should ‘require’ rather than ‘encourage’ watershed planning to ensure a coordinated approach to assess and mitigate potential impacts to water systems and functions.
2. Policies related to groundwater, surface water, shorelines, functions and linkages should be enhanced in the proposed PPS to ensure there is a consistent approach on how these matters are to be addressed.
3. The Province should ensure that the current Provincial natural heritage systems planning framework is enhanced to protect Ontario’s biodiversity and ecologically sensitive areas for future generations.

*Climate Change*

The proposed PPS contains only general direction related to climate change and most of current Growth Plan and PPS 2020 policies related to this emerging planning area have been removed or reduced. These include policies that emphasized the importance of planning for compact, transit-supportive land use patterns, preserving biodiversity, natural and agricultural systems, and conserving energy to address climate change and reduce green house gas emissions. The proposed PPS should maintain these policies and provide additional measures and tools to ensure that municipalities and agencies work in a coordinated way to address the impacts of a changing climate.

**Comments:**

1. The current provincial policies should be maintained in the new PPS to enable municipalities and other agencies to work collaboratively to respond to climate change and create resilient communities.

*Affordable Housing*

The term “affordable housing” as a measure tied to household income for ownership and rental housing is no longer a defined term in the proposed PPS and all references to the term have been removed throughout the document. The lack of a clear definition for “affordable housing” creates challenges for maintaining a consistent standard of

affordability across Ontario and Halton Region, including achieving affordable housing for low to moderate income households, in accordance with definitions and targets.

Halton Region continues to be one of the fastest growing regions in Ontario with the Region's Comprehensive Housing Strategy providing the strategic roadmap to address housing needs across the full housing continuum. Halton Municipalities cannot advance housing supply on their own. Strong affordable and assisted housing policies are needed to ensure that there are clear targets for affordability in the planning policy framework together with sustainable long-term support from the Province to ensure that housing is available to meet the needs of people of all ages, abilities and incomes, including vulnerable and low-income households.

**Comments:**

1. To ensure there is a consistent approach to planning and monitoring for affordable housing, maintain the current definition and associated policies of the PPS 2020 with regards to affordable housing.
2. The proposed PPS should also establish and implement minimum targets for affordable housing and additional guidance should be provided on how the Province intends to monitor that an adequate supply of affordable and assisted housing is built in Ontario to meet the needs of lower income households.

Next Steps

The Region will continue to monitor Provincial actions related to these proposed changes, including the progression of Bill 97 through the legislature, and will report back to Regional Council as required. The comments in this report will, pending Regional Council's direction, provide the basis for responses to the Provincial consultations. Pending Regional Council's direction, the Region will submit a response to the posting on the Environmental Registry of Ontario and Ontario's Regulatory Registry related to the Proposed Provincial Planning Statement.

FINANCIAL/PROGRAM IMPLICATIONS

There are no immediate financial implications associated with the recommendations contained in this report.

Respectfully submitted,



Curt Benson  
Director, Planning Services and Chief  
Planning Official



Bob Gray  
Commissioner, Legislative and Planning  
Services and Corporate Counsel

Approved by



Jane MacCaskill  
Chief Administrative Officer

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

Curt Benson

Tel. # 7181

Attachments: Attachment #1 – Summary of Proposed Changes to the PPS

## Summary of Proposed Changes to the PPS

Category	Proposed Change
<b>Growth targets and Intensification</b>	<ul style="list-style-type: none"> <li>• Eliminates mandatory Growth Plan minimum intensification and density targets for all municipalities (except for Major Transit Station Areas (MTSAs) in large and fast-growing municipalities)</li> <li>• Large and fast-growing municipalities also “encouraged” (not required) to plan new settlement areas for a minimum density target of 50 residents and jobs per gross hectare</li> <li>• Density targets for Urban Growth Centres (UGC) removed (no new UGCs anticipated)</li> <li>• Growth Plan concept of delineated built boundary to define intensification and designated greenfield targets removed</li> <li>• Municipalities no longer required to plan to specific population and employment targets for a horizon year (minimum 2051 forecasts to continue for municipalities with MCRs in progress)</li> </ul>
<b>Strategic Growth Areas/MTSAs</b>	<ul style="list-style-type: none"> <li>• Identifies 29 large and fast-growing municipalities (includes City of Burlington, Town of Milton, and Town of Oakville) required to identify Strategic Growth Areas and associated density targets in their official plans</li> <li>• Strategic Growth Areas and MTSAs continue to be focus areas for growth</li> </ul>
<b>Settlement Area Expansions / Employment Conversions</b>	<ul style="list-style-type: none"> <li>• Municipal Comprehensive Reviews (MCRs) of official plans not carried forward - “needs test” for settlement expansions removed and Growth Plan requirements relating to infrastructure servicing analysis and phasing and impacts to agriculture, natural heritage and water resources have been removed or reduced.</li> <li>• Municipalities required to have enough land designated for at least 25 years (change from up to 25 years)</li> <li>• No limits to when settlement expansions/employment conversions may occur</li> <li>• Expansions/conversions can be initiated by municipality or landowner (<i>Planning Act</i> still restricts ability to appeal)</li> </ul>
<b>Employment Lands</b>	<ul style="list-style-type: none"> <li>• Scoped definition to protect industrial/manufacturing uses - prohibits commercial uses (not associated with primary employment use) and institutional uses</li> <li>• Provincially Significant Employment Zones not carried forward (possibility for certain PSEZs to be subject to MZO’s for protection)</li> <li>• Prohibits OP and ZBL provisions that are more restrictive than the PPS for Employment Lands</li> </ul>
<b>Housing</b>	<ul style="list-style-type: none"> <li>• Removes definition of and references to “affordable housing”</li> <li>• Introduces new ‘housing options’ definition (including laneway housing, garden suites, rooming housing, student housing, farm work housing) to support development of broader range and mix of housing</li> <li>• Removes references to intensification and redevelopment that currently minimize the cost of housing and facilitates compact built-form</li> </ul>

## Summary of Proposed Changes to the PPS

Category	Proposed Change
	<ul style="list-style-type: none"> <li>Permits conversions of existing commercial and institutional uses to residential</li> </ul>
<b>Land Use Compatibility</b>	<ul style="list-style-type: none"> <li>Encourages industrial, manufacturing uses and small-scale warehousing (that do not generate adverse effects) to locate in strategic growth areas and other mixed-use areas with transit</li> <li>Enhanced protections for existing and planned industrial/manufacturing/major facilities from encroachment of sensitive uses</li> <li>Expands prohibited uses in employment areas</li> </ul>
<b>Infrastructure Planning</b>	<ul style="list-style-type: none"> <li>Removes policy requirements to establish phasing to align development with the timely provision of infrastructure</li> <li>Removes policies promoting intensification to optimize use of existing sewer and wastewater services within settlement areas</li> <li>Coordinated planning for stormwater management, water/wastewater infrastructure, and waste management systems carried forward</li> <li>Corridor protection required for major infrastructure</li> </ul>
<b>Rural Lands</b>	<ul style="list-style-type: none"> <li>Permits multi-lot creation (no limits on number of lots or size thresholds)</li> <li>Removes language encouraging conservation and redevelopment of existing rural housing stock</li> <li>Removes language directing growth to rural settlement areas</li> <li>Removes requirement for development to be compatible with the rural landscape</li> <li>Less protection from settlement boundary expansions</li> </ul>
<b>Agriculture</b>	<ul style="list-style-type: none"> <li>In prime agricultural areas: permits up to 2 additional residential units on a farm parcel; permits up to 3 residential lots to be severed from an existing farm parcel</li> <li>Municipalities responsible for designating prime agriculture and specialty crop areas (no longer mapped in Growth Plan area by Province)</li> <li>Prohibits municipalities from Official Plans and Zoning By-law provisions that are more restrictive than the PPS for lot creation in prime agricultural/specialty crop areas (except for instances related to public health and safety)</li> <li>Less protection from settlement boundary expansions</li> </ul>
<b>Natural Heritage/ Climate Change/ Environmental Protection</b>	<ul style="list-style-type: none"> <li>Natural heritage policies/definitions remain under consideration – separate ERO for comments pending</li> <li>Changes to wording indicate the relaxing of environmental protection in favour of increasing housing supply (removed references to biodiversity conservation and climate change)</li> <li>Direction for watershed planning reduced to ‘encourage’ rather than ‘required’</li> </ul>



VIA EMAIL

June 7, 2023

Legislative & Planning Services  
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Office of the Regional Clerk  
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Oakville ON L6M 3L1

Kevin Arjoon, City Clerk, City of Burlington  
Meaghan Reid, Town Clerk, Town of Milton  
Vicki Tytaneck, Town Clerk, Town of Oakville  
Valerie Petryniak, Town Clerk, Town of Halton Hills

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Please be advised that at its meeting held Wednesday, May 24, 2023, the Council of the Regional Municipality of Halton adopted the following resolution:

**RESOLUTION:       DI-03-23/LPS23-23 - Creation of Halton Digital Access Services Corporation**

1. THAT Council adopt the business case in respect of the creation and operation of a Municipal Services Corporation as described in Report No. DI-03-23/LPS23-23.
2. THAT Council receive the results of public consultation in respect of the creation and operation of a Municipal Services Corporation as described in Report No. DI-03-23/LPS23-23.
3. THAT Council approve the creation and operation of a Municipal Services Corporation to be known as “Halton Digital Access Services Corporation” as described in Report No. DI-03-23/LPS23-23.
4. THAT Council adopt the Asset Transfer to Corporations Policy (attached as Attachment 1) as described in Report No. DI-03-23/LPS23-23.
5. THAT Council authorize the CAO to act as an incorporator of Halton Digital Access Services Corporation.
6. THAT Council approve the Region to subscribe for the shares in the capital of Halton Digital Access Services Corporation as described in Report No. DI-03-23/LPS23-23.
7. THAT Council nominate Jane MacCaskill in her role as CAO to be the Region’s representative on the Halton Digital Access Services Corporation’s Board of Directors.

**Regional Municipality of Halton**

HEAD OFFICE: 1151 Bronte Rd, Oakville, ON L6M 3L1  
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8. THAT Council approve the appointment of Jane MacCaskill in her role as an officer of Halton Digital Access Services Corporation to hold the office of Chair.
9. THAT Council approve a loan to Halton Digital Access Services Corporation in the principal amount of \$500,000 on the terms and conditions described in Report No. DI-03-23/LPS23-23.
10. THAT Council authorize the Commissioner of Finance and Regional Treasurer to take all steps necessary for the making of the \$500,000 loan to Halton Digital Access Services Corporation.
11. THAT Council approve the Region entering into the Unanimous Shareholders Agreement described in Report No. DI-03-23/LPS23-23, in content satisfactory to the CAO, and in form satisfactory to the Director of Legal Services.
12. THAT Council approve the Region entering into any ancillary agreements, documents or forms the CAO deems are reasonably required for the creation of Halton Digital Access Services Corporation, all in content satisfactory to the CAO, and in form satisfactory to the Director of Legal Services.
13. THAT Council approve the Region entering into the following agreements relating to the establishment of Halton Digital Access Services Corporation's operations described in Report No. DI-03-23/LPS23-23:
  - a. Halton Digital Access Services Corporation Municipal Pole License Agreement;
  - b. A loan agreement evidencing the \$500,000 loan by the Region to Halton Digital Access Services Corporation;
  - c. A general security agreement given by Halton Digital Access Services Corporation to the Region as security for the \$500,000 loan; and
  - d. Any related ancillary agreements, documents and forms the CAO deems are reasonably required for the establishment of Halton Digital Access Services Corporation's operations,all in content satisfactory to the CAO, and in form satisfactory to the Director of Legal Services.

14. THAT Council delegate to the CAO the authority to execute the agreements, documents and forms on behalf of the Region described in Recommendations 11, 12 and 13.
15. THAT Council delegate to the CAO the authority to approve and execute on behalf of the Region in its capacity as a shareholder of Halton Digital Access Services Corporation all shareholders' resolutions, by-laws, agreements, documents and forms the CAO deems are reasonably required to be approved and executed, all in content satisfactory to the CAO, and in form satisfactory to the Director of Legal Services.
16. THAT a copy of Report No. DI-03-23/LPS23-23 be sent to the City of Burlington and the Towns of Halton Hills, Milton and Oakville for their information.

Included please find a copy of Report No. DI-03-23/LPS23-23 for your information. If you have any questions please contact me at the e-mail address below.

Sincerely,



Graham Milne  
Regional Clerk  
[graham.milne@halton.ca](mailto:graham.milne@halton.ca)



**The Regional Municipality of Halton**

Report To:	Regional Chair and Members of Regional Council
From:	Tony Oliveri, Commissioner, Digital and Information Services Bob Gray, Commissioner, Legislative and Planning Services and Corporate Counsel
Date:	May 24, 2023
Report No:	DI-03-23/LPS23-23
Re:	Creation of Halton Digital Access Services Corporation

**RECOMMENDATION**

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2. THAT Council receive the results of public consultation in respect of the creation and operation of a Municipal Services Corporation as described in Report No. DI-03-23/LPS23-23.
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5. THAT Council authorize the CAO to act as an incorporator of Halton Digital Access Services Corporation.
6. THAT Council approve the Region to subscribe for the shares in the capital of Halton Digital Access Services Corporation as described in Report No. DI-03-23/LPS23-23.
7. THAT Council nominate Jane MacCaskill in her role as CAO to be the Region’s representative on the Halton Digital Access Services Corporation’s Board of Directors.
8. THAT Council approve the appointment of Jane MacCaskill in her role as an officer of Halton Digital Access Services Corporation to hold the office of Chair.

9. THAT Council approve a loan to Halton Digital Access Services Corporation in the principal amount of \$500,000 on the terms and conditions described in Report No. DI-03-23/LPS23-23.
10. THAT Council authorize the Commissioner of Finance and Regional Treasurer to take all steps necessary for the making of the \$500,000 loan to Halton Digital Access Services Corporation.
11. THAT Council approve the Region entering into the Unanimous Shareholders Agreement described in Report No. DI-03-23/LPS23-23, in content satisfactory to the CAO, and in form satisfactory to the Director of Legal Services.
12. THAT Council approve the Region entering into any ancillary agreements, documents or forms the CAO deems are reasonably required for the creation of Halton Digital Access Services Corporation, all in content satisfactory to the CAO, and in form satisfactory to the Director of Legal Services.
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  - c. A general security agreement given by Halton Digital Access Services Corporation to the Region as security for the \$500,000 loan; and
  - d. Any related ancillary agreements, documents and forms the CAO deems are reasonably required for the establishment of Halton Digital Access Services Corporation's operations,all in content satisfactory to the CAO, and in form satisfactory to the Director of Legal Services.
14. THAT Council delegate to the CAO the authority to execute the agreements, documents and forms on behalf of the Region described in Recommendations 11, 12 and 13.
15. THAT Council delegate to the CAO the authority to approve and execute on behalf of the Region in its capacity as a shareholder of Halton Digital Access Services Corporation all shareholders' resolutions, by-laws, agreements, documents and forms the CAO deems are reasonably required to be approved and executed, all

in content satisfactory to the CAO, and in form satisfactory to the Director of Legal Services.

16. THAT a copy of Report No. DI-03-23/LPS23-23 be sent to the City of Burlington and the Towns of Halton Hills, Milton and Oakville for their information.

## REPORT

### **Executive Summary**

- Report No. DI-03-23/LPS23-23 (Re: Creation of Halton Digital Access Services Corporation) provides recommendations regarding the creation of a new Municipal Services Corporation to be known as Halton Digital Access Services Corporation to provide a “one-window” telecommunications permitting service.
- The exponential growth in the demand for mobile services has led to major advancements in wireless network technologies every 10 years, resulting in the emergence of ground-breaking 4G networks in 2010 and now leading to 5G technology which presents significant economic opportunities for Halton Region.
- 5G technology implementation is expected to be a key economic driver over the next decade generating significant economic growth, and it is important that Halton Region be positioned to benefit from that growth.
- The next generation of 5G connectivity will rely on both a comprehensive fibre network as well as a 5G wireless network across all of Halton Region. There are currently significant gaps in the fibre network in Halton Region which will need to be addressed to achieve the benefits of 5G technology.
- A 5G network implementation requires the attachment of wireless transmitting devices to streetlights and hydro poles (“**Vertical Assets**”) typically along road rights-of-way. There is a potential opportunity to use municipal Vertical Assets for these 5G device attachments.
- Report No. DI-02-22/LPS69-22 re: “Halton Digital Access Strategy Implementation Plan” outlined how the Region, the City of Burlington, the Town of Halton Hills, the Town of Milton and the Town of Oakville, along with the four local Hydro companies (the “**Hydro Companies**”) could implement a new Municipal Services Corporation to coordinate the deployment of 5G technology in Halton with telecommunication companies.
- The purpose of the new Municipal Services Corporation would be to provide a “one-window” service to efficiently process the telecommunication companies’ permits to attach their 5G equipment to Vertical Assets owned by the Municipalities and Hydro Companies throughout Halton. Consultations with several

telecommunication companies confirm the industry's support for a "one-window" permitting service.

- The Region, the City of Burlington, the Town of Halton Hills, the Town of Milton and the Town of Oakville would share ownership of the new Municipal Services Corporation and would each have a member on the Board of Directors. The four local Hydro Companies would also each have a representative on the Board of Directors. The Halton Municipalities and Hydro Companies would be required to enter into agreements to grant the new Municipal Services Corporation access to Vertical Assets to allow centralized 5G attachments permitting to telecommunication companies.
- As described in Report No. DI-02-22/LPS69-22 (Re: Halton Digital Access Strategy Implementation Plan), and as required in the *Municipal Act, 2001*, the Halton Municipalities collected feedback on Halton.ca from the public consultation on the proposed Halton Digital Access Municipal Services Corporation from November 23 to December 14, 2022. The public consultation was supported by social media, local newspapers and Halton.ca communication.
- The public consultation yielded a significant engagement with approximately 2,000 reviews of the initiative overview on Halton.ca, 171 "yes/no" submissions and 94 comments. Themes within the comments included: Health concerns related to cellular technology, support for accelerating 5G rollout in Halton, and support for broadband and 5G in rural areas. With respect to health concerns, according to Health Canada, based on the available scientific evidence, there are no health risks from exposure to the low levels of radiofrequency electromagnetic fields emitted by 5G devices.
- The creation of Halton Digital Access Services Corporation will require the Region and the other Municipal and Hydro partners to enter into several legal agreements, including a "Unanimous Shareholders Agreement" (which governs the relationships between the 9 partners), and a "Pole License Agreement" (which assigns Halton Digital Access Services Corporation the rights to license positions on streetlight and hydro poles to the telecommunication companies).
- Based on the estimated rate of 5G microcell installation in Halton, and the estimated operating costs of Halton Digital Access Services Corporation, it is projected that Halton Digital Access Services Corporation costs will exceed its revenues in the first year of operation, and that revenues will exceed costs in subsequent years. To assist with the start-up costs, and to cover the first year's estimated shortfall, it is recommended that Halton Region advance a \$500,000 start-up loan to Halton Digital Access Services Corporation.

## Background

The long-standing need for reliable broadband connectivity has been amplified during the COVID-19 pandemic as residents and businesses required reliable broadband access in order to work, learn, access health care services, conduct business, and communicate with friends and family.

The experience through the COVID-19 pandemic has further demonstrated that broadband is an essential service. Halton Region continues to advocate to the Provincial and Federal Governments to increase and accelerate broadband connectivity, quality and affordability in Halton's communities. The current Canadian Radio-Television and telecommunication Commission is 50Mbps/10Mbps Rural Broadband target, although helpful for minimal viable connectivity in areas without connectivity, is not sufficient to support next-generation technology and applications, such as smart vehicles, remote machinery control and public safety communications.

The next-generation broadband capabilities will rely on new 5G technologies that will transform national and regional economies. These technologies will include a fully integrated fibre-based wire line and 5G wireless network.

To implement 5G wireless technology, network operators such as Bell, Rogers and others need to create a network of small cells (antennas) to deliver the technology into homes, businesses and mobile devices. These small cells (or microcells) are essential for 5G network capability as they allow the operators to support more users with faster speeds, without the need to acquire additional wireless spectrum. Small cells are mini cellular towers (antennas), which are roughly the size of a standard laptop and can be installed on top of buildings, streetlights, and hydro poles. In this context, the Local Municipalities and Hydro Companies can leverage their existing Vertical Assets to facilitate faster deployment of 5G network capability.

In the spring of 2021, the Halton CAOs were presented an opportunity from the Hydro Company Chief Operating Officers to utilize Vertical Assets throughout the Region for the deployment of 5G attachments by the telecommunication companies.

On December 15, 2021, Regional Council received Report No. ST-08-21, re: "Digital Access Strategy Report", which provided an overview of the economic benefits of widespread 5G access. In addition, it provided an overview of Halton Region's commitment to 5G technology to ensure residents and businesses have access to the internet services required to support both the economy and quality of life. The Digital Access Strategy also calls for a unified broadband service using fibre to the home technology, which ensures that the Halton Municipalities are appropriately positioned to allow residents and businesses to benefit from 5G technology.

The Digital Access Strategy advocates for enhanced broadband services in both the rural and urban areas through a framework in which the Halton Municipalities and Hydro

Companies could efficiently service requests from telecommunication companies to deploy wireless 5G device attachments on Vertical Assets throughout Halton.

Amongst the five Halton Municipalities and the four Halton Hydro Companies, ownership of Vertical Assets is diversified. With respect to 5G, if Halton Region, the Hydro Companies and Local Municipalities opted to individually provide permitting for only those Vertical Assets that each party owns, the telecommunication companies would have to approach each of the nine parties separately, facing varying permitting and licencing requirements, as well as varying processes and timelines. A “one-window” permitting service model whereby the telecommunication companies would apply through a centralized permitting service has the potential to help the telecommunication companies expedite their 5G implementation plans across Halton Region.

In addition, during the course of this research, staff have determined that several telecommunication companies support a one-window approach which would help support their 5G deployments.

Through Report No. ST-08-21 (re: “Digital Access Strategy Report”), Regional Council also directed Regional staff to report back with details of the Hydro Companies’ proposal to provide a “one-window” service whereby telecommunication companies could access the Vertical Assets of the Halton Municipalities and the Hydro Companies through a centralized permitting service. Report No. DI-02-22/LPS69-22 (re: Halton Digital Access Strategy Implementation Plan”) outlined a design and implementation approach for the Halton Digital Access Strategy one-window 5G permitting service created as a service through a proposed new Municipal Services Corporation through the provisions of the *Municipal Act, 2001*.

A Municipal Services Corporation can only provide a system, service or thing that a municipality is entitled to provide, which would include the 5G pole attachment permitting service described in this report.

Through the provisions of the *Municipal Act, 2001*, a Municipal Services Corporation, owned by Halton Region together with each of the Local Municipalities, could be established to operate the “one-window” services consistent with the above key principles. A Municipal Services Corporation can provide these centralized 5G permitting and management services, including:

- initial permit application and ongoing access licenses for telecommunication companies’ use of poles for 5G attachments;
- municipal and Hydro Company licenses to manage 5G pole attachment rights to the Municipal Services Corporation; and,
- facilitation or coordination services to the telecommunication companies, including engineering, installation, maintenance and removal of cell attachments.

In addition, the proposed structure could allow the Municipal Services Corporation to eventually provide additional services beyond 5G, including a “one-window” approach for

all non-5G telecommunications permits, should that be considered desirable by the Municipal Services Corporation partners.

Overall, a Municipal Services Corporation approach should create favourable conditions for the rollout of 5G across Halton Region. This will accelerate the delivery of 5G connectivity for local residents and businesses, bringing with it the associated economic and social benefits.

Given the distributed ownership of Vertical Assets (i.e. that no party owns more than 17 percent of the total assets), it will be important to establish the appropriate governance to deliver a “one-window” approach to support 5G deployment. Key principles identified for developing a governance structure for municipal consideration were as follows:

- ownership of the poles is not transferred by the owner to the Municipal Services Corporation;
- municipalities and Hydro Companies will license rights to the Municipal Services Corporation to manage telecommunication companies’ one-window access to Vertical Assets;
- 5G equipment and maintenance must not interfere with the primary purpose of the Vertical Asset;
- each Vertical Asset owner will take part in the governance of the Municipal Services Corporation; and,
- fees charged to telecommunication companies should be based on rates that at a minimum must cover all operating costs associated with one window service and allow for full cost recovery for the owner of the Vertical Asset.

The *Municipal Act, 2001* sets out several statutory requirements that must be met prior to the creation of a Municipal Services Corporation, including the following:

- Business case study - A municipality must adopt a business case study before it establishes a Municipal Services Corporation either alone or with one or more other municipalities.
- Asset transfer policies - A municipality must adopt and maintain policies on asset transfers to corporations, even though, subject to the next sentence, no asset transfers to Halton Digital Access Services Corporation are currently contemplated (i.e. the ownership of the pole infrastructure would remain with the individual municipalities and the Hydro Companies). As described in this report, the Region proposes to make a loan of \$500,000 to Halton Digital Access Services Corporation, which would constitute the transfer of assets under the asset transfer policy.
- Public participation – a municipality must consult with the public about the proposal to establish the Municipal Services Corporation prior to such corporation’s establishment. There are no specific rules governing the nature of the public consultation. The Halton Municipalities have met this obligation of the *Municipal Act, 2001* through the process described in the Public participation section of this

report.

In July 2022, Regional Council approved the following recommendation:

*THAT staff proceed with the implementation plan for a one-window approach to support the implementation of 5G technology across Halton as outlined in Report No. DI-02-22/LPS69-22 re: “Halton Digital Access Strategy Implementation Plan” and report back to Regional Council for final approvals by early 2023.*

The remainder of this report describes the work undertaken since the last report, and the proposed approach to implementing a Municipal Services Corporation, to be known as Halton Digital Access Services Corporation.

## **Discussion**

Under direction of the Halton CAOs, Halton Region staff, working jointly with the Local Municipalities, the four local Hydro Companies, consultants, and external legal counsel, have completed the necessary preparations for consideration of a proposed one-window centralized 5G permitting service through a new Municipal Services Corporation. These preparations include meeting the requirements of the *Municipal Act, 2001* described above, as well as completing drafts of the foundational agreements, governance, and planning specific to the purpose of the proposed new Municipal Services Corporation, as described in the following sections of this report.

### ***Operating Model / Business Case***

In the proposed Halton Digital Access Services Corporation, the Region and the four Local Municipalities would each own 20 percent of the shares in Halton Digital Access Services Corporation and would each have one representative on its Board of Directors. Each of the four local Hydro Companies would also have a representative on the board.

Each of the nine Halton Digital Access Services Corporation partners would license space on their respective Vertical Assets to Halton Digital Access Services Corporation, who in turn would be able to license space on these poles for 5G microcell equipment to telecommunication companies (e.g. Bell and Rogers). Halton Digital Access Services Corporation would:

- work with the telecommunication companies to understand their business plans for 5G roll-out in Halton;
- accept applications from telecommunication companies for the installation of 5G equipment on poles;
- review these permit applications (in consultation with the pole owners if necessary);
- issue licenses for the equipment installation (with appropriate conditions) to the telecommunication companies; and

- ensure the equipment is installed properly, and does not interfere with the primary pole uses.

Halton Digital Access Services Corporation is intended to be a very “lean” organization, and to leverage the capabilities and expertise of its nine partners as needed. It would have a very small staff, currently contemplated to consist of a part-time General Manager, a part-time Manager of Permits and Approvals, and a part-time Manager of Finance and Administration. Halton Digital Access Services Corporation would enter into service contracts as needed for the provision of support services, legal and technical support, and the creation and ongoing support of digital systems to deliver its services.

Halton Digital Access Services Corporation would charge the telecommunication companies a permit application and review fee, which would cover the costs associated with reviewing applications, issuing permits and conducting inspections (if necessary). Depending on the volume and complexity of permit applications, it is possible that Halton Digital Access Services Corporation will contract with one or more consultants or contractors to assist with the permitting process.

Halton Digital Access Services Corporation will also charge the telecommunication companies an annual fee for each pole license. This annual fee would be consistent for all poles – regardless of the pole type or owner, and would be based on typical “market rates”. The revenue generated by these fees would be used for several purposes, including:

- distribution to the hydro pole owners (on a market-rate basis) for each pole licensed (less Halton Digital Access Services Corporation administration fees charged to the hydro pole owner);
- distribution to the municipal pole owners (on a cost recovery basis) for each pole licensed; and
- covering Halton Digital Access Services Corporation operating costs, including maintaining a contingency reserve.

Any additional revenues would be distributed to the municipal shareholders on a pro-rated basis based on the number of municipal Vertical Assets licensed to the telecommunication companies.

A key factor affecting Halton Digital Access Services Corporation revenue will be the pace at which 5G equipment is installed on Vertical Assets in Halton. Based on discussions with telecommunication companies, and corresponding estimates of revenues and operating costs, it is estimated that Halton Digital Access Services Corporation costs will slightly exceed revenues in the first year of operation, and that revenues will exceed costs in every year thereafter.

To provide for appropriate funds to cover operating costs during the start-up phase of Halton Digital Access Services Corporation, until it reaches a positive cash flow position, it is proposed that Halton Region provide a \$500,000 start-up loan to Halton Digital

Access Services Corporation. The details of this loan and repayment provisions are described further in the Financial Implications section.

In the absence of creating a Municipal Services Corporation to provide a “one window” permitting service, each of the nine pole owners would need to negotiate a separate agreement with each telecommunication company if they wished to license 5G microcells on their poles. They would also need to establish their own processes to review and approve permits, and to collect the appropriate fees. Establishing nine separate processes would be cumbersome for both the pole owners and the telecommunication companies, and would likely slow the rate of 5G deployment in Halton.

### **Public Consultation**

As outlined in the *Municipal Act, 2001*, it is a statutory requirement to conduct public consultation prior to establishing a Municipal Services Corporation. The purpose of the Halton Municipalities consultation was to outline the benefits, ownership, governance, operation and purpose of the proposed Municipal Services Corporation and to provide an opportunity for the public to provide comments regarding the proposed Municipal Services Corporation.

The Halton Municipalities collected feedback from the public on the proposed creation of a Municipal Services Corporation, including the ownership, governance, operation and purpose, from November 23 to December 14, 2022. The proposed [Halton Digital Access Municipal Services Corporation content on Halton.ca](#) provided an overview of the business case including how the Municipal Services Corporation would be owned and operated, and the benefits to Halton. In addition, the Region provided Federal Health information regarding the health implications of 5G in the form of a video. Residents were invited to complete a short survey asking if they support the creation of the proposed Municipal Services Corporation and they were given an opportunity to submit comments.

The public consultation was supported by social media, local newspapers and Halton.ca communication campaigns. These communication campaigns resulted in a significant engagement with approximately 2,000 reviews of the initiative overview on Halton.ca which yielded 171 “yes/no” submissions and 94 comments. All feedback was received exclusively through the survey response channel.

Themes within the comments included: Health concerns related to cellular technology, support for accelerating 5G rollout in Halton, and support for broadband and 5G in rural areas. Within the survey results, support was fairly evenly split between those supporting the creation of the Halton Digital Access Municipal Services Corporation to accelerate 5G deployment and those not supporting the acceleration of 5G deployment due to health concerns.

## ***Federal 5G Standards, Approvals and Regulations***

Ontario Municipalities do not have jurisdiction over the provisioning of broadband and cellular services by the telecommunication companies, including 5G technology.

The provision of broadband internet is the responsibility of the Federal Government through the Canadian Radio-Television and telecommunication Commission which regulates the telecommunication companies, including implementations of 5G networks in Halton.

Cell phone towers and 5G transmitters emit radiofrequency electromagnetic fields similar to energy used by AM/FM radio and television signals. The equipment is usually installed high above ground level, often on towers and utility poles.

In Canada, Innovation, Science and Economic Development Canada approves the use of 5G and sets stringent standards for radio frequency emissions for all emitting devices including cell phones and towers, which align with those of prominent international organizations such as the Institute of Electrical and Electronics Engineers, the Internal telecommunication Union and the Federal Communications Commission. Similarly, Health Canada sets radio frequency standards for devices under its Safety Code 6 within its public health mandate. Innovation, Science and Economic Development Canada tests and approves the use of 5G devices before they can be used in Canada.

According to Health Canada, based on the available scientific evidence, there are no health risks from exposure to the low levels of radiofrequency electromagnetic fields emitted by 5G devices.

Both Innovation, Science and Economic Development Canada and Health Canada have concluded that 5G devices approved for use in Canada are compliant with Safety Code 6 and do not pose a danger to the public.

In addition, Public Health Ontario continues to study the environmental public health effects of radio frequency exposure in Ontario and in September 2022 published [Focus On: Health Effects of Radiofrequency Electromagnetic Fields, Including 5G](#) which anticipates that with the expanded use of wireless technology, exposures to radio frequencies may increase, but are expected to remain under regulatory limits.

It should be emphasized that the approval of the use of 5G devices is a federal responsibility, outside of the purview of municipal governments or Hydro utilities. The recommendations in this report relate to the creation of a “one window” approach which would facilitate the installation of 5G equipment on Vertical Assets. Should this “one window” approach not proceed, individual municipalities and hydro companies could license the installation of 5G equipment on their own poles, and telecommunications companies could also install 5G microcells on other vertical assets including buildings, and on their own poles or towers.

## ***Asset Transfer Policy***

As noted earlier in this report, one of the requirements of the *Municipal Act, 2001* is that a municipality must have an asset transfer policy in place prior to creating a Municipal Services Corporation, even if there is no intention to transfer assets to the Corporation. Because the Region currently does not have an asset transfer policy in place, it is recommended that the Region adopt the Asset Transfer Policy included in Attachment #1. The proposed Asset Transfer policy permits Council to transfer assets to a Municipal Services Corporation, but requires that “Any Asset transfer must be approved by the Council in advance of the transfer”, and allows Council to attach conditions to such a transfer.

Although it is proposed that the Region license space on its poles to Halton Digital Access Services Corporation, subject to the next sentence, there is no intention that the Region (or any of the pole owners) transfer ownership of their poles to Halton Digital Access Services Corporation. As described in this report, the Region proposes to make a loan of \$500,000 to Halton Digital Access Services Corporation, which would constitute the transfer of assets under the asset transfer policy.

## ***Process to Create and Implement Halton Digital Access Services Corporation***

There are a number of legal and practical steps that need to be taken to formally create Halton Digital Access Services Corporation as a Municipal Services Corporation, and to get Halton Digital Access Services Corporation to an operational state. Some of the key steps and legal agreements include the following:

- All nine partner organizations enter into a Unanimous Shareholders Agreement
- Formation of the Board of Directors
- Filing of Articles of Incorporation
- All nine partner organizations enter into Pole License Agreements with Halton Digital Access Services Corporation

Each of these steps is described briefly below.

### **Unanimous Shareholders Agreement**

The Unanimous Shareholders Agreement describes and governs the relationship between the nine parties to the agreement. It describes the role of the Municipalities as shareholders of Halton Digital Access Services Corporation, and the Hydro Companies as participants in Halton Digital Access Services Corporation. It includes numerous provisions required by law, such as: the size, composition, and decision-making processes of the Board of Directors; rights of the parties to receive unaudited and audited financial statements; confidentiality; provisions related to the issuing of shares; and provisions related to parties exiting the agreement.

## **Board of Directors**

It is proposed that each of the nine partners would have one member on the Board of Directors, and that the Chair of the Board would be Halton Region's representative on the Board. It is also proposed that the representative of each partner organization would be the organization's senior staff person (CAO, CEO or COO) or designate. These senior executives have acted as the Steering Committee, which has guided the formation of Halton Digital Access Services Corporation to this point, and they would bring that background and knowledge to their roles on the Board. At some point in the future, once Halton Digital Access Services Corporation has achieved an operational "steady state", they may choose to delegate their role on the Board of Directors to another representative from their organization.

Any matters requiring a Board decision would require a two-thirds majority of Board members casting votes to pass. In addition, there are certain matters (such as amending the Unanimous Shareholders Agreement or winding up the business) which would require a "Special Approval", which consists of consent of at least all but one of the municipal representatives on the Board of Directors.

## **Articles of Incorporation**

The formal, legal step required to create Halton Digital Access Services Corporation as a Corporation is the filing of Articles of Incorporation. The Articles of Incorporation describe the share capital of the corporation. It is proposed that Halton Digital Access Services Corporation would issue 100 common shares to each incorporating shareholder municipality, with the shares valued at \$1 each.

## **Pole License Agreements**

The primary focus for Halton Digital Access Services Corporation is to provide "one window" access to the Vertical Assets owned by the nine Halton Digital Access Services Corporation partners. In order for Halton Digital Access Services Corporation to have the ability and authority to license space on these poles to telecommunication companies, each of the pole owners must first grant a "license" to Halton Digital Access Services Corporation for space on the poles. It is proposed that each pole owner will enter into a pole license agreement with Halton Digital Access Services Corporation, which will grant Halton Digital Access Services Corporation the ability to license space on the poles to telecommunication companies. The pole license agreement describes the rights and responsibilities of Halton Digital Access Services Corporation and the pole owners, and it ensures that the primary purpose of the poles (for municipal or hydro purposes) is protected. In return for the pole owner granting a license to Halton Digital Access Services Corporation, Halton Digital Access Services Corporation agrees to share revenues from the telecommunication companies with the respective pole owners, as described in previous sections of this report.

Other key elements of the pole license agreement include the following:

- The agreements will be for an initial term ending December 31, 2032, with automatic successive five-year renewal terms until terminated
- After the initial term any party can terminate the agreement on 12 months' notice

- Halton Digital Access Services Corporation is required to indemnify the municipality for any damages incurred by the municipality that arise out of or are related to Halton Digital Access Services Corporation's performance or non-performance of the agreement

### ***Next Steps***

Each of the Local Municipalities and Hydro Companies are taking reports to their Councils/Boards in late May / early June seeking the necessary approvals to proceed with implementing Halton Digital Access Services Corporation. Once all of the necessary approvals are in place, then the Articles of Incorporation will be filed, formally creating Halton Digital Access Services Corporation as a legal entity. The Board of Directors will then convene for their inaugural meeting, and they will take all the necessary steps to get Halton Digital Access Services Corporation "up and running". Important early activities for the Board will be hiring the initial (part-time) Halton Digital Access Services Corporation General Manager, finalizing pole license agreements with the telecommunication companies, and developing the necessary operational systems and processes to process pole permit applications efficiently and effectively. It is expected that licensing and installation of 5G attachments on poles would commence later this year.

### **RISKS**

As noted in previous sections of this report, there are many advantages to expediting the roll-out of 5G technology in Halton Region, and Halton Digital Access Services Corporation is expected to help facilitate and expedite the roll-out of 5G microcells by the telecommunication companies. However, there are also risks with the proposed approach that are important to acknowledge. Some of these risks include the following:

- Federal or Provincial governments or regulatory agencies could decide to regulate 5G pole attachment fees at a lower rate than currently contemplated in the Halton Digital Access Services Corporation business plan. This would reduce Halton Digital Access Services Corporation's revenue, which could jeopardize its ability to cover its operating costs, and its ability to pay back the \$500,000 start-up loan from Halton Region.
- The rate of roll-out and installation of 5G microcells by the telecommunication companies could be slower than assumed in the business plan (based on information provided by the telecommunication companies). This would also reduce Halton Digital Access Services Corporation's revenue, which could jeopardize its ability to cover its operating costs, and its ability to pay back the start-up loan.
- Halton Digital Access Services Corporation costs to deliver its services could be higher than currently budgeted. This would impact Halton Digital Access Services Corporation's profitability and potentially affect its ability to distribute the anticipated revenue to the various pole owners, and potentially affect its ability to pay back the start-up loan.

Although it is important to acknowledge that these risks exist, in Regional staff's view

none of the risks are significant enough to outweigh the benefits of expedited 5G roll-out that is likely to be achieved through the services that will be provided by Halton Digital Access Services Corporation.

## FINANCIAL/PROGRAM IMPLICATIONS

Halton Region has engaged legal, consulting and project management services to assist with the implementation of the new Municipal Services Corporation and related agreements on behalf of the Halton Municipalities and Hydro Companies.

As noted earlier in this report, Halton Digital Access Services Corporation will incur operating costs before it receives any revenues from telecommunication companies. It is anticipated that for the first full year of operation, Halton Digital Access Service Corporation costs will exceed its revenues; thereafter, revenues are expected to exceed costs. To provide working capital to support the Halton Digital Access Services Corporation start-up, and to offset the expected revenue shortfall in its first year of operation, it is proposed that Halton Region provide a loan to Halton Digital Access Services Corporation in the amount of \$500,000. The terms of the loan would be specified in a loan agreement between Halton Digital Access Services Corporation and the Region (the "Loan Agreement"). Key elements of the proposed Loan Agreement include the following:

- The loan is interest-free
- Halton Digital Access Services Corporation will repay the principal amount in equal yearly payments of \$100,000 commencing no later than the 5th anniversary of the date the Loan Agreement is executed
- Halton Digital Access Services Corporation has the right to pay the loan off earlier without penalty

The authority for the Region to make this loan is found in section 107 of the *Municipal Act*, 2001, which provides authority, subject to section 106 of the Act, to make a grant or loan for any purpose that Council considers to be in the interests of the municipality. By approving the incorporation of Halton Digital Access Services Corporation as a Municipal Services Corporation, Council is establishing that Halton Digital Access Services Corporation is being created in the interests of the Municipality. The Asset Transfer Policy attached to this report provides specific authority for the Region to make the loan to Halton Digital Access Services Corporation. External counsel has advised that in providing this loan the Region does not offend the provisions of section 106 of the *Municipal Act*, 2001 that prohibit bonusing.

Respectfully submitted,



Tony Oliveri  
Commissioner, Digital and Information  
Services



Jody Johnson  
Director, Legal Services



Bob Gray  
Commissioner, Legislative and Planning  
Services and Corporate Counsel

Approved by



Jane MacCaskill  
Chief Administrative Officer

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

Tony Oliveri

Tel. # 7082

Attachments: Attachment #1 - Asset transfer to a Municipal Services Corporation Policy

## Attachment #1

### The Regional Municipality of Halton Asset transfer to a Municipal Services Corporation Policy

#### 1. Policy Statement

This policy is intended to address asset transfers to corporations as required under section 7 of Ontario Regulation 599/06 under the *Municipal Act, 2001*, as amended from time to time.

#### 2. Objectives

The purpose of this policy is to permit transfers of municipal assets to municipal services corporations incorporated by the Region, alone or in partnership with other municipalities, under the authority of the *Municipal Act, 2001*, as amended from time to time.

#### 3. Applicability

This policy applies to the transfer of any Asset between the Region and a Corporation. Assets may be transferred to a Corporation at any time, and from time to time, as authorized by Council, on such terms and conditions as Council may determine.

#### 4. Definitions

**Act** – *Municipal Act, 2001*, including Regulations made under it, as amended from time to time.

**Asset(s)** – A resource with economic value with an expectation that it will provide a future benefit. An asset can include real and personal property, monies, securities, equipment, intellectual property, and any resource that could deliver a prospective profit and/or benefit.

**Corporation** - a corporation incorporated in accordance with section 203 of the Act and Section 3 of Ontario Regulation 599/06 made under the Act.

**Council** – the Regional Council of The Regional Municipality of Halton.

**Region** - The Regional Municipality of Halton.

**Transfer**- A change of ownership from one party to another.

#### 5. Policy

The Region may Transfer such Assets as it sees fit to Corporation on the following terms:

5.1. The Region shall ensure that all applicable legislation, including but not limited to the *Municipal Act, 2001*, is adhered to in any Asset Transfer;

5.2. Any Asset Transfer must be approved by the Council in advance of the Transfer;

5.3. Council shall be permitted to attach such terms and conditions to the Asset Transfer as it deems necessary, including but not limited to:

- a) Specifying the permitted use of the Assets;
- b) Providing for an obligation on the Corporation to Transfer back to the Region the Asset upon the happening of an event or events;
- c) Restricting or prohibiting further Transfers of the Assets by the Corporation;
- d) Attaching a purchase price of the Asset, to be paid or owed to the Region by the Corporation;
- e) Such other terms or conditions as the Council deems advisable and appropriate.



**VIA EMAIL**

June 7, 2023

Legislative & Planning Services  
Department  
Office of the Regional Clerk  
1151 Bronte Road  
Oakville ON L6M 3L1

Kevin Arjoon, City Clerk, City of Burlington  
Meaghan Reid, Town Clerk, Town of Milton  
Vicki Tytaneck, Town Clerk, Town of Oakville  
Valerie Petryniak, Town Clerk, Town of Halton Hills  
Hassaan Basit, Conservation Halton  
Nancy Rowland, Royal Botanical Gardens  
Janette Smith, City of Hamilton  
Lisa Burnside, Hamilton Conservation Authority  
Gord McNulty, Hamilton Naturalists' Club  
Michael McDonald, Bruce Trail Conservancy  
Robert Baker, McMaster University

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Please be advised that at its meeting held Wednesday, May 24, 2023, the Council of the Regional Municipality of Halton adopted the following resolution:

**RESOLUTION: LPS37-23 - Cootes to Escarpment EcoPark System – Parks Canada Ecological Corridor Pilot Program**

1. THAT the Commissioner of Legislative & Planning Services be authorized to execute the agreement and any ancillary documents with Royal Botanical Gardens to reimburse project funds to Halton Region in a form satisfactory to the Director of Legal Services as outlined in Report No. LPS37-23.
2. THAT the Regional Clerk forward a copy of Report No. LPS37-23 to the City of Burlington, the Town of Halton Hills, the Town of Milton, the Town of Oakville, the Royal Botanical Gardens, the City of Hamilton, the Hamilton Conservation Authority, Conservation Halton, the Hamilton Naturalists' Club, the Bruce Trail Conservancy and McMaster University for their information.

**Regional Municipality of Halton**

HEAD OFFICE: 1151 Bronte Rd, Oakville, ON L6M 3L1

905-825-6000 | Toll free: 1-866-442-5866

Included please find a copy of Report No. LPS37-23 for your information. If you have any questions please contact me at the e-mail address below.

Sincerely,

A handwritten signature in blue ink, appearing to read 'G. Milne', is positioned below the word 'Sincerely,'.

Graham Milne  
Regional Clerk  
[graham.milne@halton.ca](mailto:graham.milne@halton.ca)



**The Regional Municipality of Halton**

Report To:	Regional Chair and Members of Regional Council
From:	Bob Gray, Commissioner, Legislative and Planning Services and Corporate Counsel
Date:	May 24, 2023
Report No:	LPS37-23
Re:	Cootes to Escarpment EcoPark System – Parks Canada Ecological Corridor Pilot Program

**RECOMMENDATION**

1. THAT the Commissioner of Legislative & Planning Services be authorized to execute the agreement and any ancillary documents with Royal Botanical Gardens to reimburse project funds to Halton Region in a form satisfactory to the Director of Legal Services as outlined in Report No. LPS37-23.
2. THAT the Regional Clerk forward a copy of Report No. LPS37-23 to the City of Burlington, the Town of Halton Hills, the Town of Milton, the Town of Oakville, the Royal Botanical Gardens, the City of Hamilton, the Hamilton Region Conservation Authority, Conservation Halton, the Hamilton Naturalists' Club, the Bruce Trail Conservancy and McMaster University for their information.

**REPORT**

**Executive Summary**

- The Cootes to Escarpment EcoPark System (the “EcoPark System”) is a collaboration among nine government and not-for-profit agencies established in 2007 to collectively protect, restore and connect more than 3,900 hectares (9,600 acres) of natural lands in the City of Burlington and the City of Hamilton.
- Regional involvement in the EcoPark System is guided by an approved Memorandum of Understanding with partner agencies, annual funding for the EcoPark System Secretariat, and representation on the Governing Council and the Management Committee.

- Through adoption of Report No. LPS24-21, Regional Council endorsed the 2021-2030 EcoPark System Strategic Plan to set priorities and goals to implement the vision for the EcoPark System over the next 10-years.
- Subsequently through adoption of Report No. LPS59-21, Regional Council endorsed the Memorandum of Understanding for the EcoPark System (2022-2026) to support the implementation of the 2021-2030 Strategic Plan for the EcoPark System and secure Partner financial contributions.
- On January 26 2023, the Government of Canada, led by Parks Canada, announced a \$3.5 million contribution to the EcoPark System for an Ecological Corridor Pilot Program (the “Pilot Program”) to support collaborative efforts in developing ecological corridors among protected natural areas and parklands between Cootes Paradise and the Niagara Escarpment, in the City of Burlington and the City of Hamilton.
- A contribution agreement between Royal Botanical Gardens and Parks Canada was executed in January 2023 to implement the Pilot Program. Royal Botanical Gardens is the partner agency for the EcoPark System alliance that is responsible for overseeing the Pilot Program and managing its funds.
- A component of the Pilot Project includes a project identified by Halton Region to undertake ecological corridor enhancements to part of the Region’s property that contains the closed Burlington Landfill. The Pilot Program will fund the total cost for the approved project, which is estimated at \$60,000.
- A sub-agreement between Royal Botanical Gardens and Halton Region has been prepared as a mechanism to reimburse funds for Halton’s project (Attachment #1). Through this report, staff recommend that Regional Council authorize the Commissioner of Legislative & Planning Services to execute the agreement and any ancillary documents with Royal Botanical Gardens in a form satisfactory to the Director of Legal Services.

## **Background**

Halton Region has been a partner agency of the Cootes to Escarpment EcoPark System collaborative alliance since its inception in 2007. The vision of the EcoPark System is to permanently protect, restore and connect approximately 3,900 hectares (9,600 acres) of natural lands at the western end of Lake Ontario, in the City of Burlington (within the North Aldershot area) and the City of Hamilton. Other partners in the EcoPark System alliance include the City of Burlington, the City of Hamilton, the Region of Halton, the Royal Botanical Gardens, Conservation Halton, the Hamilton Conservation Authority, the Bruce Trail Conservancy, McMaster University, and the Hamilton Naturalists’ Club. The partner alliance is currently operating under the Cootes to Escarpment EcoPark System 2022-2026 Memorandum of Understanding and is working to advance the goals, objectives and actions of the 2021-2030 Cootes to Escarpment EcoPark System Strategic Plan.

## Discussion

### Parks Canada National Program for Ecological Corridors

In April 2022, the federal government announced a National Program for Ecological Corridors, led by Parks Canada. The program is intended to support the conservation, maintenance and restoration of ecological corridors to preserve biodiversity, address impacts of climate change, protect and restore ecosystems, and contribute to the recovery of species at risk. With an investment of \$60.6 million over five years, the program aims to improve ecological connections between protected and conserved natural areas in Canada through collaborative partnerships with other levels of government, partners, and stakeholders.

Ecological corridors are integral to the broader landscape for the effective protection of natural areas and systems as these corridors support the uninhibited movement and interaction of animals and plants between these areas. They also play an important role in addressing biodiversity loss and climate change and provide opportunities for people and communities to access greenspaces and to co-exist responsibly and sustainably with nature.

### Cootes to Escarpment EcoPark System Ecological Corridor Pilot Program

In September 2022, Parks Canada identified the EcoPark System as a candidate for a 12 to 16-month Pilot Program as the goals of the National Program for Ecological Corridors directly align with the vision and strategic priorities identified in the 2021-2030 Cootes to Escarpment EcoPark System Strategic Plan. The EcoPark System has proven to be a successful collaborative model to enabling landowners to work with the Ecosystem alliance to enhance and link local ecological corridors to partner owned lands.

Following consultation with partner agencies, the EcoPark System Management Committee developed and submitted a proposal for a Pilot Program to Parks Canada. The Pilot Program will help the partner alliance better understand and develop the local landscape as a set of ecological corridors through EcoPark System partner-led projects that will:

1. Explore landowner engagement and collaboration through outreach initiatives to assist with the coordination and enhancement of protected areas,
2. Investigate opportunities to protect additional ecological corridor areas through land securement under the protection of EcoPark System partner agencies,
3. Enable habitat restoration in key natural areas and corridors on EcoPark System partner properties, through the removal of invasive species, planting native plants, and barrier enhancement or removal to help wild species cross built areas and roads,

4. Engage and build relationships with Indigenous communities and Knowledge Holders to participate and share knowledge regarding the land and its management, and
5. Monitor and evaluate the Pilot Program by identifying criteria that indicate the success of the overall program from the perspective of improving ecological corridor function.

On January 26 2023, Parks Canada, awarded a \$3.5 million contribution to the EcoPark System to support the implementation of the Pilot Program to support ecological corridors on partner-owned lands and undertake landowner outreach and engagement. The EcoPark System budget to implement the Pilot Program includes hiring a dedicated Project Manager and an Indigenous Engagement Coordinator. Parks Canada will use key learnings from the pilot programs to shape the criteria for a more comprehensive program that is planned to follow at a future date.

### Halton Region Project and Financials

As a component of the Pilot Program, Halton Region identified a project for the natural area located on the northern portion of the property containing the closed Burlington Landfill, which was approved by the EcoPark System alliance for ecological corridor funding. The closed Burlington landfill is located at 367 North Service Road, approximately 500m east of Waterdown Road, and is within the boundaries of the EcoPark System (see Attachment #2). This area is also mapped as part of the Natural Heritage System in the Regional Official Plan.

The scope of the project will include the development of a forest management plan that will be a guiding document for the management and monitoring of the natural areas of the site. The invasive species management component of this project will seek to reduce invasive plant species through removal, followed by forest edge native plantings on the downslopes of Falcon Creek. This project will restore a portion of a north-south ecological corridor, which serves as a critical connection that enables plants and wildlife to move between the natural areas within the EcoPark System, including connection to surrounding partner agency lands. It also aligns with the goals of the Parks Canada National Program for Ecological Corridors and strategic priorities identified in the 2021-2030 Cootes to Escarpment EcoPark System Strategic Plan. The total cost for Halton's approved project is estimated at \$60,000 and must be completed by the end of 2023. There is also an opportunity to expand the scope of the project to additional phases, subject to future funding.

### Funding Agreement

On January 26, 2023, the Minister of Environment and Climate Change officially announced the EcoPark System was awarded a Parks Canada's National grant to support ecological corridor enhancements. Royal Botanical Gardens is the implementing

partner and will be managing the funds. An agreement between Royal Botanical Gardens and Parks Canada was executed in January 2023.

Sub-agreements between Royal Botanical Gardens and each of the EcoPark System partner agencies have been prepared as a mechanism to reimburse funds to the partner agencies for selected projects on their lands. Halton Region has worked with Royal Botanical Gardens to draft the terms of the agreement between Halton and Royal Botanical Gardens, which includes funding for \$60,000 to implement the forest management and invasive species management project on the northern property at the closed Burlington Landfill (Attachment #1).

This report is seeking Regional Council's authorization to enable the Commissioner of Legislative & Planning Services to execute the final agreement and any ancillary documents with Royal Botanical Gardens in a form satisfactory to the Director of Legal Services.

FINANCIAL/PROGRAM IMPLICATIONS

The cost of Halton’s ecological corridor project will be funded from Planning Services’ operating budget and reimbursed based on submission of receipts as per the agreement with Royal Botanical Gardens. Royal Botanical Gardens and Parks Canada have a separate agreement for the total funding received for the EcoPark System Ecological Corridor Pilot Program.

Respectfully submitted,



Curt Benson  
Director, Planning Services and Chief  
Planning Official



Bob Gray  
Commissioner, Legislative and Planning  
Services and Corporate Counsel

Approved by



Jane MacCaskill  
Chief Administrative Officer

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

Curt Benson

Tel. # 7181

Attachments: Attachment #1 – Partner Agreement between Royal Botanical Gardens and Halton Region  
Attachment #2 – Location Map of Halton Region Ecological Corridor Project

## Ecological Corridor Partner Funding Agreement

THE AGREEMENT is effective as of the \_\_\_\_\_ day of \_\_\_\_\_, 2023

BETWEEN:

Royal Botanical Gardens Canada (the “Funder”) a legal entity having its head office / principal place of business at: 680 Plains Road West, Burlington, ON, L7T 4H4

-and-

The Regional Municipality of Halton

(the “Recipient”)

WHEREAS the Recipient in carrying out the project described in Schedule “B” (the “Project”);

AND WHEREAS the Funder under the directions of the Parks Canada Contribution Agreement provides funding to the Recipient for the purpose of the Project. Both Funder and the Recipient are members of the Cootes to Escarpment EcoPark System, an alliance of nine agencies delivering Parks Canada funded Cootes to Escarpment EcoPark System Ecological Corridor Pilot Program;

NOW THEREFORE, in consideration of the mutual covenants and agreements contained herein and for other good and valuable consideration, the receipt and sufficiency of which is expressly acknowledged, the parties agree to the following:

### 1.0 ENTIRE AGREEMENT

1.1 The agreement, together with:

- Schedule “A”- Project Specific Information and Additional Provisions
- Schedule “B”- Project Description, Timelines and Reports
- Schedule “C”- Budget and Payment Schedule
- Schedule “D”- General Clauses

IN WITNESS WHEREOF, the Funder and the Recipient have respectively executed and delivered the Agreement as of the date set out above.

**Funder:**

**Royal Botanical Gardens Canada**

\_\_\_\_\_

Date

\_\_\_\_\_

Name: Nancy Rowland

Title: CEO

\_\_\_\_\_

Date

\_\_\_\_\_

Name: Nancy Rowland

Title: CEO

**Recipient:**

***(name of organization)***

\_\_\_\_\_

Date

\_\_\_\_\_

Name:

Title:

\_\_\_\_\_

Date

\_\_\_\_\_

Name:

Title:

I have the authority to bind the Recipient.

## SCHEDULE “A”

### PROJECT SPECIFIC INFORMATION AND ADDITIONAL PROVISIONS

<b>Maximum Funds Requested (bottom line of Schedule “B”)</b>	\$ 60,000
<b>Expiry Date (end of this project)</b>	March 2024
<b>Contact Lead – Royal Botanical Gardens</b>	<i>Name: Tomasz Wiercioch            Title: Cootes to Escarpment EcoPark System Coordinator            Address: Royal Botanical Gardens, 680 Plains Road West, Burlington, ON L7T 4H4            Telephone: 905 527-1158 ext. 225            Email: twiercioch@rbg.ca</i>
<b>Project Contact Lead - Recipient</b>	<i>Name: Heather Ireland            Title: Senior Environmental Planner, Regional Municipality of Halton            Address 1151 Bronte Road, Oakville, ON            Telephone: 905-825-6000 ext. 7214            Email: Heather.Ireland@halton.ca</i>
<b>Contact Information for Partner Agency CFO, COO, or CAO</b>	<i>Name Contact TBD by Region            Title            Address            Telephone            Email</i>

#### Additional Provisions:

#### **1.0 PROJECT BUDGET, SCOPE AND TIMELINES**

- 1.1 Changes to Project Budget.** Any changes to the Budget, as set out in Schedule “C” must be agreed upon in writing by all Parties before such changes are enacted.
- 1.2 Changes to Project Scope and/or Timelines.** Any changes to the scope and/or timelines, as set out in Schedule “B”, must be agreed upon by all Parties in writing before such changes are enacted.

#### **2.0 USE OF FUNDS**

**2.1 Use of Funds.** The Recipient will do all of the following:

- (a) Spend the Funds only in accordance with the Budget as set out in Schedule “C”;

**(b)** Provide copies of Project invoices to the Funder consistent with the Budget as set out in Schedule “C”.

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**SCHEDULE “B”**

**PROJECT DESCRIPTION, TIMELINES AND PROGRESS REPORTS**

*Insert project proposal information below, including timelines and reporting requirements (e.g. monthly, quarterly, etc.)*

<b>Project Title:</b>	Burlington Closed Landfill Forest Management Plan and Forest Edge Restoration
<b>Project Number:</b>	(to be assigned by RBG)
<b>Project Description:</b>	The scope of the project will include the development of a forest management plan that will be a guiding document for the management and monitoring of the natural areas of the site. The invasive species management component of this project will seek to reduce invasive plant species through removal, followed by forest edge native plantings on the downslopes of Falcon Creek. This project is aimed to restore a portion of the north-south corridor, which serves as a critical connection that enables plants and wildlife to move between the natural areas within the EcoPark System, including connection to surrounding partner agency lands. The site is also within a high overall importance of a priority area for multispecies connectivity conservation (Figure 11) and is identified as a location for high focal species suitability for habitat (Figure 10) in the 2021 ApexRMS study.
<b>Project Goal (Relative to Improvement of Ecological Corridors):</b>	<ul style="list-style-type: none"> <li>• A guiding document for the management and maintenance of approximately 10 hectares of natural areas including the critical corridor connection within Falcon Creek at the northern property of the closed Burlington Landfill, which is part of the Cootes to Escarpment Waterdown-Sassafras Woods Management Plan.</li> <li>• Reduce invasive plant species abundance and distribution of approximately 3 – 4 hectares of forest edge through herbicide treatment. Invasive species compete with native species leading to population declines and possible extirpation of plant and wildlife species in the area.</li> <li>• Plant native species to help increase areas for wildlife to use the edge habitat for nesting, feeding, and traveling. Approximately 1400 seedlings, 600 whips and 2000 handplant will be planted within the corridor, on the site.</li> </ul>

Activity or Work (add rows as needed)	Location (specific site for this Activity)	Key Performance Measures (see Note 1 below)	Status (Has project started? When would it begin?)	List Deliverables in Each Applicable Quarter					
				Q4, 2022	Q1, 2023	Q2, 2023	Q3, 2023	Q4, 2023	Q1, 2024
Procurement					Write Procurement	Procurement Process	Procurement Process		
Forest Management Plan	Burlington Closed Landfill	1a, 2a					Field Survey, mapping, analysis, Plan writing	Review by internal staff, Made available to C2E partner agencies	
Invasive Species Management	Burlington Closed Landfill	1ai					Herbicide Treatment of target plants	Audit Work	
Planting	Burlington Closed Landfill	1ai						Planting If Stock available, audit work	

**Note 1: Performance Measurement Categories from Parks Canada Contribution Agreement: Categories for Monitoring and Evaluation of Key Results**

Please use these categories when describing Key Performance Measures in Schedule "B"

1. Protecting Environmental/Biodiversity values
  - a. Habitat Restoration Projects
    - i. Quantitative Measures: number of invasive species removed, area of invasive species removals, number of native plantings, area of native species plantings, length or number of fence installations for road ecology
  - b. Land Securement
    - i. Quantitative Measures: Number of priority areas identified, area of land donated, purchased, or otherwise secured
2. Contributing to a Conservation Network
  - a. Habitat Restoration Prioritizing and Mapping
    1. Quantitative: Reports and workshops, training, maps produced
3. Engaging Governments, Indigenous Communities, and other Stakeholders
  - a. Indigenous engagement
    - i. Quantitative: involvement of Indigenous communities in habitat restoration projects, number of workshops
    - ii. Qualitative: relationship building

- b. Internal Decision Makers
    - i. Quantitative: number of meetings, workshops
    - ii. Qualitative: Identification of future projects
  - c. External Stakeholders
    - i. Quantitative: number of meetings, workshops, newsletters, web site engagements, etc.
    - ii. Qualitative: Identification of future projects or collaborations
4. Highlighting Community Co-Benefits
- a. Landowner Engagement
    - i. Quantitative: number of projects, best practices report, newsletters, web site engagements, etc.

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**SCHEDULE “C”**

**BUDGET AND PAYMENT SCHEDULE**

*Insert budget and payment schedule*

**Schedule "C" Budget and Payment Schedule**

<b>Parks Canada Contribution Agreement Expense Category</b>	<b>Items (please list individual expenses if known in each row)</b>	<b>Budget (please sum up estimated cost for items in each row)</b>	<b>Anticipated Timing of Expenses (Quarters in 2023 or 2024)</b>	<b>Payment Notes (any additional notes about anticipate expenses to pass along)</b>
<b>Program Management</b>				
PM - Program Management Expenses		\$		
<b>Landowner Engagement</b>				
LE – Operating Expenses (including staffing)		\$		
LE – Communication Materials		\$		
LE – Facilitation Services		\$		
<b>Land Securement</b>				
LS – Purchases		\$		
LS – Appraisals and Coordination		\$		
<b>Habitat Restoration</b>				
HR – Operating Expenses (including staffing)		\$8,000	Q3/Q4 2023	Estimated labour related to removals and fencing
HR – Native Plan and Seed Stock		\$15,000	Q3/Q4 2023	
HR – Invasive Species Removal		\$15,000	Q3/Q4 2023	
HR – Fencing & Barrier		\$		
HR – Other Expenses		\$15,000	Q3/Q4 2023	Forest Management Plan
<b>Indigenous Engagement</b>				
IE – Operating Expenses (including staffing)		\$		
IE – Travel Expenses		\$		
IE – Honoraria		\$		
<b>Project Total Budget</b>		<b>\$59,890</b>		Estimated tax included in budget total: \$6,890

**Note:**

All requests for payment require appropriate supporting documentation (e.g. copies of invoices, etc.) prior to payment being released to Recipient.

Payment is contingent on the Recipient having met the Project reporting requirements and timelines set out in Schedule “B”.

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**SCHEDULE “D”**  
**GENERAL CLAUSES**

**1. DEFINITIONS**

- 1.1. “Agreement” means the Cootes to Escarpment EcoPark System Ecological Corridor Pilot Program Funding Agreement and such amendments and appendices which are or may be expressed for form part of the Agreement.
- 1.2. “Effective Date” the date the Agreement commences. For clarity this Agreement will commence on XX
- 1.3. “Expiry Date” the date the Agreement ends. For clarity this Agreement will end on XX
- 1.4. “Funder” is the defined role of Royal Botanical Gardens Canada (RBG) identified in the contribution agreement between Parks Canada and the RBG for the purpose of this Agreements.
- 1.5. “Funds” the budget identified in Schedule “C” required to complete the Project.
- 1.6. “Parties” refers to the Funder and Recipient
- 1.7. “Program” refers to the Cootes to Escarpment EcoPark System Ecological Corridor Pilot Program
- 1.8. “Project” refers to the individual RBG and other EcoPark System partner led components of the pilot Program.
- 1.9. “Recipient” is a partner agency of the Cootes to Escarpment EcoPark System.

**2. REPRESENTATIONS, WARRANTIES AND COVENANTS**

- 2.1. **General.** The Recipient represents, warrants and covenants that:
- a) It is, and will continue to be, a validly existing legal entity with full power to fulfill its obligations under the Agreement;

- b) It has, and will continue to have, the experience and expertise necessary to carry out the Project; and
- c) It is in compliance with, and will continue to comply with, all federal and provincial laws and regulations, all municipal by-laws, and any other orders, rules and by-laws related to any aspect of the Project.

**2.2. Execution of Agreement.** The Recipient represents, warrants and covenants that it has:

- a) The full power and capacity to enter into the Agreement; and
- b) Taken all the necessary actions to authorize the execution of the Agreement.

**2.3. Governance.** The Recipient represents, warrants and covenants that is has, will maintain in writing and will follow:

- a) A code of conduct and ethical responsibilities for all persons at all levels of the Recipient's organization;
- b) Procedures to enable the Recipient's ongoing effective functioning;
- c) Decision-making mechanisms for the Recipient;
- d) Procedures to enable the Recipient to manage funds prudently and effectively;
- e) Procedures to enable the Recipient to complete the Project successfully;
- f) Procedures to enable the Recipient to identify risks to the completion of the Project and strategies to address the identified risks, all in a timely manner;
- g) Procedures to enable the preparation and submission of Project reports identified in Schedule "B"; and
- h) Procedures to enable the Recipient to address such other matters as the Recipient considers necessary to enable the Recipient to carry out its obligations under the Agreement.

### **3. TERMS OF THE AGREEMENT**

The term will commence on the Effective Date and will expire on the Expiry Date unless terminated earlier pursuant to Article 17.

#### **4. AMENDMENTS**

This Agreement may be amended by the mutual written consent of the Parties. To be valid, any amendment of this Agreement shall be in writing and signed by the Parties within the duration of the Agreement.

#### **5. PAYMENTS**

5.1 The Recipient will accrue the initial expenses for the project as outlined in Schedules “A” and “B” to the maximum fund amount listed. The Recipient shall provide all invoices, receipts, and vouchers to RBG for payment against the project in accordance with the budget and payment schedule in Schedule “C”.

5.2 RBG shall provide payment to the Recipient within 30 days upon receipt of documentation requested in paragraph 5.1 and reporting requirements in Schedule “B”.

5.3 RBG can provide advance payments against the total anticipated budget for this project upon request by the Recipient once this Agreement is signed.

Requests for advance payments must be made in writing by the Recipient to RBG, stating the project name and number and the amount requested. The total of all advances cannot exceed the total approved budget for this project.

If advance payments exceed the amount expended during the work for the project, overpayment must be returned to RBG before the conclusion of the project.

#### **6. INTELLECTUAL PROPERTY**

Any intellectual property created as a result of this Project will remain the property of the Recipient.

## **7. ASSIGNMENT**

The Recipient shall not assign the Agreement or any part thereof or any payments to be made thereunder without the written permission of RBG, but nothing shall preclude the Recipient from enlisting the assistance of others in carrying out the obligations under this Agreement.

## **8. RELATIONSHIP**

The Parties acknowledge that no principal-agent, employer-employee, partnership or joint venture relationship is created by virtue of this Agreement. The Recipient will not represent itself as an agent, employee or partner of RBG, including an agreement with a third party.

## **9. CONFIDENTIALITY**

9.1 The Recipient shall ensure that any information of confidential nature, relating to this Project, the Funder or Parks Canada, to which the Recipient or its officers, servants or agents become privy, shall be treated as confidential and shall not disclose such information to third parties without obtaining the prior written consent of the Funder and/or Parks Canada.

9.2 For greater certainty, the Recipient shall comply with all applicable privacy laws, including the *Municipal Freedom of Information and Protection of Privacy Act* (Ontario) and the *Freedom of Information and Protection of Privacy Act* (Ontario).

9.3 Each Party acknowledges that any confidential information of the Funder disclosed to the Recipient may be subject to the provisions of the MFIPPA and FOI, which Acts may compel disclosure. The Recipient is entitled to comply with MFIPPA and FOI without providing notice to the Counterparty. For the avoidance of doubt, any permitted disclosure pursuant to any such requirement of the MFIPPA or FOI will not be deemed to render such confidential information non-confidential for any other use or disclosure.

## 10. CONFLICT OF INTEREST

10.1. **Conflict of Interest includes** any circumstance where:

- a) The Recipient; or
- b) Any person who has the capacity to influence the Recipient's decisions, has outside commitments, relationships or financial interests that could, or could be seen by a reasonable person to, interfere with the Recipient's objective, unbiased and impartial judgement relating to the Project, the use of Funds, or both.

10.2. **No Conflict of Interest.** The Recipient will carry out the Project and use the Funds without an actual, potential or perceived conflict of interest.

## 11. LIABILITY

RBG, its officers, employees or agents, shall not be liable for any injury or death caused to the person of any agent, official or employee of the Recipient or for loss or damage to property or the same, unless resulting from the negligence of an officer, employee or agent of RBG in the exercise of their office.

## 12. INDEMNIFICATION

12.1. The Recipient agrees to indemnify and save harmless Royal Botanical Gardens Canada, their officers and agents from and against all claims, damages, loss, costs and expenses (including reasonable legal fees) which they or any of them may at any time incur or suffer as a result or arising directly or indirectly out of the carrying out of this Agreement, except to the extent caused by a breach of duty on the part of RBG, its officers, employees or agents.

12.2. Further, the Recipient agrees to indemnify and save harmless RBG, its officers, employees and agents for any deficit incurred by the Recipient during the term of this Agreement.

## 13. DEFAULTS AND REMEDIES

13.1. The following constitute events of default:

- a) The Recipient becomes bankrupt or insolvent or is placed in receivership or takes the benefit of any statute relating to bankrupt and insolvent debtors;
- b) An order is made, or a resolution passed for the winding-up of the Recipient or the Recipient is dissolved;
- c) In RBG's opinion, there is a change in risk which would jeopardize the success of the Project;
- d) The Recipient, either directly or through its representatives, makes or has made a false or misleading statement to RBG;
- e) In RBG's opinion, a term or condition or a commitment provided for in the Agreement has not been respected;
- f) The Recipient is no longer eligible under the criteria established for the Program.

13.2. Where there is an event of default or where, in RBG's opinion, there is likely to be a default under this Agreement, RBG may avail itself of one or more of the following remedies:

- a) Reduce the level of contribution and inform the Recipient accordingly;
- b) Suspend any payment of the contribution, either with respect to sums already owing or future payments;
- c) Rescind this Agreement and immediately terminate any financial obligation arising out of it;
- d) By written demand, require any guarantee or security from the Recipient that RBG considers appropriate within the set time limit;
- e) By written demand, require payment of amounts already paid which were contrary to the terms of the Agreement; the amount claimed becoming a debt owing to RBG as soon as the demand is made on the Recipient. The Recipient shall immediately comply with such written demand.

13.3. The fact that RBG refrains from exercising a remedy it is entitled to exercise under this Agreement shall not be considered to be a waiver of such right and, furthermore, partial or limited exercise of a right conferred on it shall not prevent it in any way from later exercising any other right or remedy under this Agreement or other applicable law.

#### **14. DISPUTE RESOLUTION**

In the event of a dispute arising under the terms of this Agreement, the Parties agree to make a good faith attempt to settle the dispute. In the event that the Parties could not resolve the dispute through negotiation, they agree to submit to mediation. The Parties will bear the cost of mediation equally.

#### **15. ACCOUNTS, FINANCIAL STATEMENTS AND OTHER DOCUMENTATION**

15.1. The Recipient agrees to keep proper accounts and records of the revenues and expenditures for the subject matter of the Agreement, including all invoices, receipts and vouchers relating thereto. The Recipient will provide financial statements and other documents stipulated in the Agreement and as required from time to time by RBG, and shall conduct its financial affairs according to generally accepted accounting principles and practices. For the purpose of this Agreement, the Recipient will keep all financial accounts, statements, invoices, receipts, vouchers and other records for a period of at least seven (7) years after the expiry of the Agreement.

15.2. The Recipient shall provide all invoices, receipts and vouchers to the Funder to support payment against the Project, as set out in Section 5. Payments above.

15.3. The Recipient shall ensure that all costs for the implementation of the Project include, where applicable, HST that the Recipient shall pay on all goods and services, less any credits or reimbursements to which they are entitled.

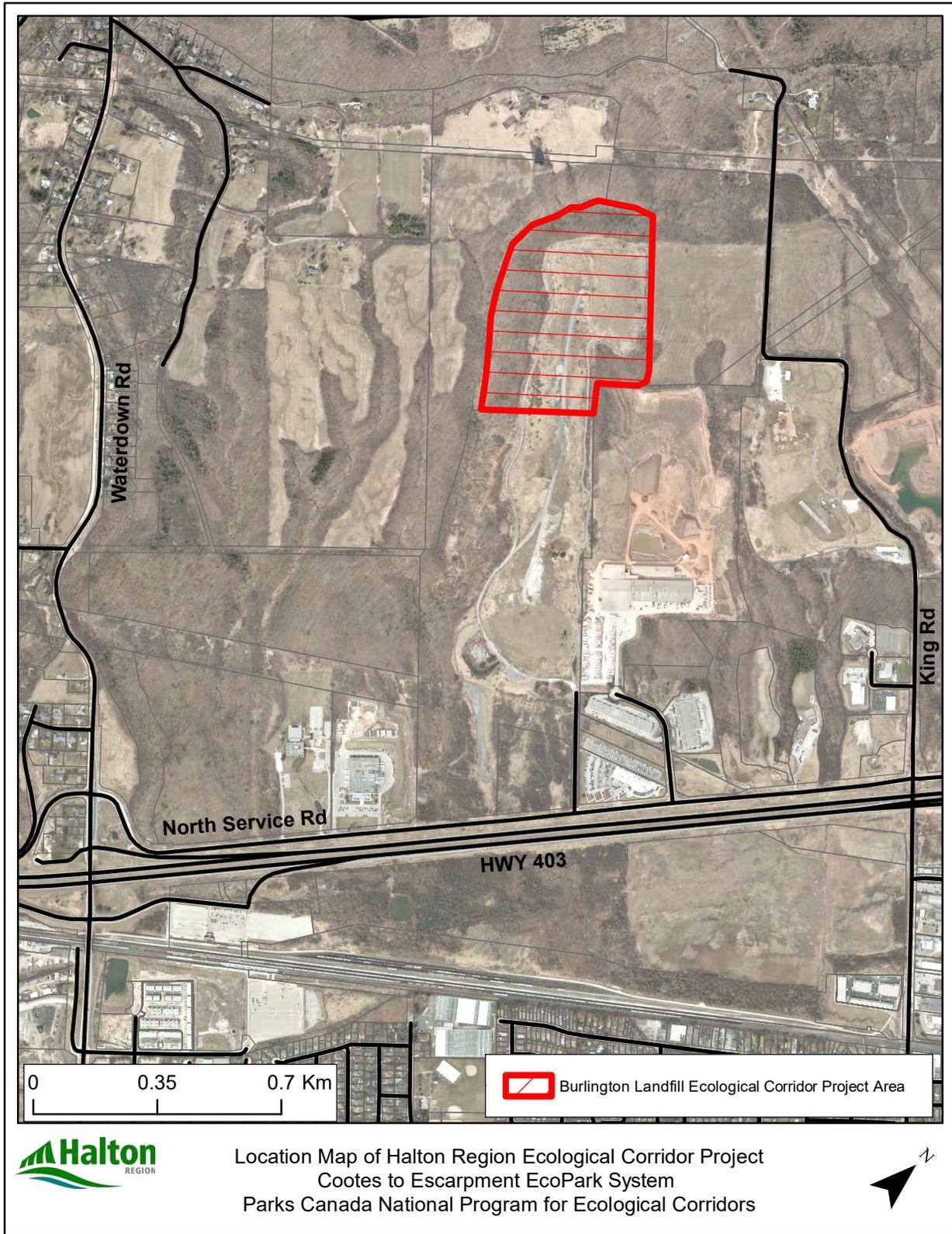
#### **16. AUDIT**

RBG and Parks Canada reserve the right to audit or cause to have audited the accounts and records of the Recipient to ensure compliance with the terms and obligations of the Agreement, and the Recipient shall make available to such auditors any records, documents and information that the auditor may require. The scope, coverage and timing of such audit shall be determined by RBG and/or Parks Canada.

## **17. TERMINATION ON NOTICE**

RBG reserves the right to terminate this Agreement at any time without liability, penalty, or cost upon giving 30 days' written notice to the Recipient.

DRAFT





VIA EMAIL

June 8, 2023

Legislative & Planning Services  
Department  
Office of the Regional Clerk  
1151 Bronte Road  
Oakville ON L6M 3L1

Kevin Arjoon, City Clerk, City of Burlington  
Meaghan Reid, Town Clerk, Town of Milton  
Vicki Tytaneck, Town Clerk, Town of Oakville  
Valerie Petryniak, Town Clerk, Town of Halton Hills  
Kellie McCormack, Conservation Halton  
Joshua Campbell, Credit Valley Conservation  
Samantha Lawson, Grand River Conservation  
Paula Tenuta, Building Industry and Land Development Associations (BILD Halton)  
Michelle Diplock, West End Home Builders Association (WE HBA)

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Please be advised that at its meeting held Wednesday, May 24, 2023, the Council of the Regional Municipality of Halton adopted the following resolution:

**RESOLUTION: LPS41-23 - Halton Developers' Liaison Committee – Annual Update (2022) and Terms of Reference (2022-2026)**

1. THAT the Halton Developers' Liaison Committee Terms of Reference, included as Attachment #2 to this report, be approved for the 2022-2026 term of Regional Council.
2. THAT Regional staff be directed to administer the Halton Developers' Liaison Committee consistent with direction in Report No. LPS41-23 re: "Halton Developers' Liaison Committee – Annual Update (2022) and Terms of Reference (2022-2026)".
3. THAT the Regional Clerk forward a copy of Report No. LPS41-23 re: "Halton Developers' Liaison Committee – Annual Update (2022) and Terms of Reference (2022-2026)" to the City of Burlington, the Town of Halton Hills, the Town of Milton, the Town of Oakville, Conservation Halton, Credit Valley Conservation Authority, Grand River Conservation Authority, the Building Industry and Land Development Association's Halton Region chapter (BILD-Halton), and the West End Home Builders Association (WE HBA), for their information.

**Regional Municipality of Halton**

HEAD OFFICE: 1151 Bronte Rd, Oakville, ON L6M 3L1  
905-825-6000 | Toll free: 1-866-442-5866

Included please find a copy of Report No. LPS41-23 for your information. If you have any questions please contact me at the e-mail address below.

Sincerely,

A handwritten signature in blue ink, appearing to read 'G. Milne', is positioned below the word 'Sincerely,'.

Graham Milne  
Regional Clerk  
[graham.milne@halton.ca](mailto:graham.milne@halton.ca)



**The Regional Municipality of Halton**

Report To:	Regional Chair and Members of Regional Council
From:	Bob Gray, Commissioner, Legislative and Planning Services and Corporate Counsel
Date:	May 24, 2023
Report No:	LPS41-23
Re:	Halton Developers' Liaison Committee – Annual Update (2022) and Terms of Reference (2022-2026)

**RECOMMENDATION**

1. THAT the Halton Developers' Liaison Committee Terms of Reference, included as Attachment #2 to this report, be approved for the 2022-2026 term of Regional Council.
2. THAT Regional staff be directed to administer the Halton Developers' Liaison Committee consistent with direction in Report No. LPS41-23 re: "Halton Developers' Liaison Committee – Annual Update (2022) and Terms of Reference (2022-2026)".
3. THAT the Regional Clerk forward a copy of Report No. LPS41-23 re: "Halton Developers' Liaison Committee – Annual Update (2022) and Terms of Reference (2022-2026)" to the City of Burlington, the Town of Halton Hills, the Town of Milton, the Town of Oakville, Conservation Halton, Credit Valley Conservation Authority, Grand River Conservation Authority, the Building Industry and Land Development Association's Halton Region chapter (BILD-Halton), and the West End Home Builders Association (WE HBA), for their information.

**REPORT**

**Executive Summary**

- This report highlights the Halton Developers' Liaison Committee (the "HDLC") discussion topics in 2022, proposed Terms of Reference for the 2022-2026 term of Regional Council, Member appointments for the 2022-2026 term of Regional Council, and anticipated discussion topics for 2023.
- On February 12, 2020, Regional Council approved a revised Terms of Reference for the HDLC through Report No. LPS07-20 re: "Halton Developers' Liaison

Committee Terms of Reference”, which set out that Regional staff would provide an annual update on the activities of the HDLC.

- The HDLC met twice in 2022 (February 25 and April 29), and discussed the Regional Official Plan Review, the Region’s Allocation infrastructure projects, Ontario Housing Affordability Task Force Report, and Provincial Streamlining Development Review Fund.
- Given the changes to planning responsibilities of Regional Municipalities associated with Bill 23, *More Homes Built Faster Act, 2022*, the HDLC Terms of Reference have been amended to ensure focus on those aspects that remain central to the Region’s role. For example, the delivery, review, and approval of water and wastewater infrastructure features prominently in the revised Terms of Reference.
- Overall, the changes to the Terms of Reference reflect the collaborative work with Halton’s municipal partners in defining the transition of planning services to the local municipalities as envisioned by Bill 23, *More Homes Built Faster Act, 2022*, as highlighted in Report No. LPS34-23 re: “Regional Planning in a Post-Bill 23 Environment” also on Council’s agenda for May 24, 2023.
- Upon Regional Council’s approval of the recommendations of this report, recruitment for HDLC membership for the 2022-2026 term will commence and a meeting schedule will be prepared.

## **Background**

The HDLC is a valued forum for developers, landowners, development professionals, and Regional staff to discuss matters of mutual interest, and provide feedback on Regional initiatives. In its role, the HDLC seeks to explore resolutions to issues of mutual concern; however, it does not directly advise Regional staff or Council Members.

Current HDLC membership from Regional Council includes Chair Carr, Mayor Burton, Mayor Krantz, Mayor Lawlor, and Councillor Galbraith. In addition to the Members of Regional Council, the HDLC composition also includes Regional staff and private sector development professionals. Local municipal and public agency staff are also invited to participate in these meetings.

The annual summary report for 2022 and the anticipated discussion topics for 2023 are provided through this report.

## Discussion

### 2022 Overview

In 2022, the HDLC met on February 25 and April 29. Virtual meeting software has been utilized to host both meetings and allow HDLC Members and Public Attendees to provide feedback on agenda items.

Minutes from each of the 2022 meetings are included as Attachments #3 and #4 to this report. Regional staff also continue to cite feedback received from the HDLC in reporting on the particular projects discussed. The minutes from the meeting on February 25 were also circulated to Regional Council by the Regional Clerk. The minutes from the meeting on April 29 will be circulated in conjunction with the invite for the first meeting in 2023.

At the meetings held in 2022, the following topics were presented and discussed:

#### *Regional Official Plan Review:*

Regional staff provided several updates on the Regional Official Plan Review, focusing on the process and timing of the Regional Official Plan Amendments. Regional Council will recall that on November 4, 2022, the Minister of Municipal Affairs and Housing released its decision to approve Regional Official Plan Amendment No. 49 (the most recent Amendment), as adopted by Regional Council, subject to modifications (Memorandum dated November 9, 2022).

#### *Region's Allocation Infrastructure Projects:*

Regional staff provided regular updates on Regional infrastructure projects being delivered as part of the 2020 Allocation Program, including design or construction stages, (projected) tender award dates, (projected) construction start dates, and scheduled completion dates, as well as contractors and contract administrators.

#### *Ontario Housing Affordability Task Force Report:*

Regional staff provided a summary of the Region's response to the Province of Ontario's activities relating to increasing housing supply, namely the Ontario Housing Affordability Task Force Report published in February 2022.

#### *Provincial Streamlining Development Review Fund:*

Regional staff provided a summary of the Region's development streamlining projects submitted to the Province of Ontario to be supported by the Fund. These projects focused on the Region's role in supporting expedited developer-contributed infrastructure review and approvals processes, which include an in-depth examination of engineering approvals, establishing online intake and application tracking for engineering files, review of roles and responsibilities as well as new implementation tools and processes for improved efficiency, technology purchases, workflow enhancements, application monitoring and dashboards. A final report on this initiative will be provided to Regional Council in late Q2/early Q3 2023.

## 2022-2026 Terms of Reference

In accordance with Section 17.1 of the Terms of Reference, the Terms of Reference shall be reviewed at the end of each term by Regional Council. As such, Regional staff have reviewed the Terms of Reference for HDLC and are recommending changes that are identified in Attachment #1 to this report. A clean-copy of the Terms of Reference is provided as Attachment #2 to this report.

The changes proposed to the Terms of Reference are made to reflect changes in the Region's role in planning and development associated with Bill 23, *More Homes Built Faster Act, 2022*. The changes ensure the Committee's focus is on those aspects that remain central to the Region's role. For example, the delivery, review, and approval of water and wastewater infrastructure features prominently in the revised Terms of Reference. While these changes are important to recognize, the HDLC will still discuss matters related to other Regional programs and services where such may impact land development in general (for example, affordable housing, the Allocation Program, etc.).

## 2022-2026 Member Appointments

In accordance with Section 7.1 of the Terms of Reference, Committee Members shall be appointed for a term that coincides with the term of Regional Council, expiring on November 14 of the year in which a municipal election is held, unless otherwise provided by resolution of Regional Council, or until successors are appointed.

As such, at its meeting on December 14, 2022, through Report No. LPS01-23 re: "Council Appointments for 2022-2026 Term", Regional Council appointed Chair Carr, Mayor Burton, Mayor Krantz, Mayor Lawlor, and Councillor Galbraith to the HDLC for the 2022-2026 term of Regional Council expiring on November 14, 2026.

Following the approval of the proposed Terms of Reference, Halton Region will post a recruitment advertisement to invite local development professionals to apply for a position on the HDLC. In accordance with Section 5.1 of the proposed Terms of Reference, Regional Council will appoint up to 11 private sector development professionals from the following areas: real estate, land use planning, engineering, construction, and general land development. These volunteer appointments will run until November 14, 2026. The role and mandate of the HDLC may be subject to change as a result of Bill 23, *More Homes Built Faster Act, 2022*.

## 2023 Areas of Focus

Upon Regional Council's approval of the recommendations of this report, a meeting schedule will be prepared.

Topics for meetings in 2023 are anticipated to include updates on process and customer service improvements (including the Region's response to proposed legislation and policy changes) and other Halton planning initiatives as appropriate. Status updates on the Region's Allocation Infrastructure projects will also continue to be an agenda item. Where possible, Regional staff continue to incorporate identified areas of interest from the HDLC into agenda items for the 2023 meetings.

## CONCLUSION

All feedback received through this forum will be documented throughout 2023 and will be considered as input into Regional services, projects, and programs.

## FINANCIAL/PROGRAM IMPLICATIONS

Costs associated with operating the HDLC are included in the annual operating budgets for the Clerk's Office and Planning Services.

Respectfully submitted,



Curt Benson  
Director, Planning Services and Chief  
Planning Official



Bob Gray  
Commissioner, Legislative and Planning  
Services and Corporate Counsel

Approved by



Jane MacCaskill  
Chief Administrative Officer

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

Curt Benson

Tel. # 7181

Attachments: Attachment #1 – HDLC Terms of Reference (2022-2026) - Tracked Change  
Attachment #2 – HDLC Terms of Reference (2022-2026) - Clean  
Attachment #3 – HDLC Meeting Minutes of February 25, 2022 (HDLC 01-22)  
Attachment #4 – HDLC Meeting Minutes of April 29, 2022 (HDLC 02-22)

## Halton Developers' Liaison Committee

### ~~2020-2022-2022-2026~~ Terms of Reference

1. Council Mandate
  - 1.1 The Halton Developers' Liaison Committee has been established by Regional Council in accordance with these adopted Terms of Reference.
2. Goal, Scope and Purpose
  - 2.1 The goal of the HDLC is to discuss issues of mutual concern related to land development matters in Halton Region, including considering possible solutions around alternatives when presented.
  - 2.2 This Liaison Committee is not an Advisory Committee of Regional Council, although minutes from the Committee will be made available to Regional Council through circulations. While not an Advisory Committee, HDLC is expected to follow the Code of Conduct for Advisory Committees.
  - 2.3 The Chair and the Committee as a whole will strive to reach consensus on advice and perspectives related to the Committee's mandate. Some voting options are provided as detailed within these Terms of Reference.
  - 2.4 The purposes of the HDLC are to provide feedback and receive and/or share information related to matters of land development, including, but not limited to:
    - a) the implementation, review and monitoring of Regional requirements policies of the Regional Official Plan with respect to land development;
    - b) the rollout, take-up, and monitoring of the Region's Allocation Programs and related means to finance growth-related infrastructure;
    - c) Halton programs and initiatives that could have an impact on general land development-related matters ~~and Halton Region planning programs and initiatives~~;
    - d) change management surrounding Regional programs and initiatives and service delivery related to ~~land~~ development review ~~and approvals~~; and
    - g) the work plan for the Committee for each year and the preparation of a report to Regional Council on its activities at the end of term.
3. Committee Dissolution
  - 3.1 When the stated Committee goal, scope and purpose, as established by Regional Council and outlined in Section 2 of these Terms of Reference, have been achieved, Staff shall initiate a process of review, consulting with

Committee members and referring to Committee annual reports, meeting minutes, records and any other relevant Committee documents.

- 3.2 If dissolution is appropriate, Staff will forward a report recommending dissolution of the Committee to Regional Council for approval.

#### 4. Definitions

“Clerk’s Staff” shall mean the Regional Clerk or other member of the Office of the Regional Clerk assigned to work with the Committee.

“Committee” shall mean the Halton Developers’ Liaison Committee.

“Committee Members” shall mean members appointed to the Halton Developers’ Liaison Committee, pursuant to these Terms of Reference and the Regional Procedural By-Law.

“Conservation Authorities” shall mean Conservation Halton, Credit Valley Conservation Authority, and Grand River Conservation Authorities.

“Delegate” shall mean any person, group of persons, firm or organization that is neither a Committee Member nor a member of Regional Council or Staff, wishing to address the Committee, and “Delegation” shall refer to the presentation of same.

“Local Municipalities” shall mean the City of Burlington, the Town of Halton Hills, the Town of Milton, and the Town of Oakville.

“Majority” shall mean a number greater than half of the total.

“Region” shall mean The Regional Municipality of Halton.

“Regional Council” shall mean the Council of the Region.

“Regional Procedural By-Law” shall mean the Region’s By-law No. 90-19 as amended or replaced from time to time, being a by-law to govern the calling, place and proceedings of Regional Council and its committees and the conduct of its members.

“Staff” shall mean employees of the Region.

“Staff Liaison” shall mean an employee of the Region assigned to work with the Committee in an advisory capacity.

#### 5. Composition

- 5.1 The Committee shall be comprised of a maximum of 21 Members, consisting of the following members:
- a) Up to 11 private sector development professionals, appointed by Regional Council and ideally with the following balanced representation:
    - a. 1 real estate professional;
    - b. 2 land use planning professionals;
    - c. 2 engineering professionals;
    - d. 2 construction professionals; and
    - e. 4 general land development professionals.
  - b) ~~The following 5 members of Generally 5 senior~~ Regional staff representatives or their designates responsible for;
    - a. ~~Director of Capital and Development Financing~~Development Application Review;
    - b. ~~Manager of Community Planning~~Infrastructure Planning and Delivery;
    - c. ~~Director of Infrastructure Planning and Policy~~;
    - d.c. Assistant Corporate Counsel from Legal ServicesDevelopment Infrastructure Financing; and
    - e. ~~Lead development engineer from Planning Services~~Development Engineering; and
    - f.d. The Director of Planning Services and Chief Planning Official
  - c) 4 members of Council, comprised of 1 Councillor from each Local Municipality, appointed by Regional Council; and
  - d) The Regional Chair.
- 5.2 Wherever possible and where appropriate, a balanced representation of individuals to reflect experiences from all Local Municipalities is preferred.
- 5.3 The Staff Liaison shall maintain a mailing list that can include any member of the public for electronic circulation of agendas, minutes, and presentations by the Clerks Department.
- 5.4 Notwithstanding Section 5.1(c) above, Council may appoint additional members of Regional Council to the Committee as members. All members of Council are invited to attend either Committee or Sub-committee meetings.
- 5.5 Staff from the Conservation Authorities and Local Municipalities are not members of the Committee, but are invited and encouraged to attend and participate in Committee meetings to ensure collaborative efforts in advancing improvements in service delivery.
- 5.6 Project-driven sub-committees may be established as required by the Chair, in consideration of the advice of the Committee, to provide a defined forum for feedback into major Regional projects and initiatives.

- 5.7 Sub-committees shall use the same rules as those for the Committee.
- 5.8 Members of a sub-committee shall only be selected from the Committee to a maximum of 8 total members, exclusive of members of Council and the Regional Chair.
- 6. Selection of Members
  - 6.1 Vacancies on the Committee for positions that are not staff appointments or Members of Regional Council shall be advertised to the public at the beginning of the Committee term and during the term as needed.
  - 6.2 All Committee Members that are to be appointed by Regional Council shall be selected by the Interview Committee in accordance with the Regional Procedural By-Law.
  - 6.3 Regional Council may seek assistance from the Staff Liaison in determining the criteria for evaluating prospective Committee Members' eligibility for the Committee. The Staff Liaison may participate in interviews in an advisory capacity only and shall not be permitted to ask questions of prospective Committee Members or to participate in the Interview Committee's decision-making.
  - 6.4 If a Committee Member is unable to complete the term as set out in Section 7 below, a new Committee Member may be appointed by Regional Council following the above-noted procedures.
  - 6.5 Alternates shall not be permitted for Committee Members appointed by Regional Council.
- 7. Term
  - 7.1 Committee Members shall be appointed for a term that coincides with the term of Regional Council, expiring on November 14 of the year in which a municipal election is held, unless otherwise provided by resolution of Regional Council, or until successors are appointed.
  - 7.2 A Committee Member may resign from the Committee at any time by advising of this intention in writing to the Committee Chair, Clerk's Staff or the Staff Liaison.
  - 7.3 A Committee Member is deemed to have resigned from the Committee if at any time during the term the Committee Member has not attended three consecutive scheduled meetings of the Committee and has not communicated

to the Committee Chair, Clerk's Staff or Staff Liaison during that time period indicating intentions to remain on the Committee.

## 8. Frequency of Meetings

8.1 The Committee shall normally meet once every quarter, or at any other time at the call of the Committee Chair.

8.2 The Chair can cancel meetings if there is an insufficient number of agenda items to justify a meeting.

## 9. Quorum

9.1 A quorum shall be a Majority of the Committee Members.

9.2 If quorum for a Committee meeting is not present within fifteen (15) minutes of the time fixed for the commencement of the meeting, or if quorum is lost during the course of a meeting, the Committee may proceed without a quorum being present. The minutes of the meeting must indicate that quorum was not present.

## 10. Selection of the Committee Chair

10.1 The Committee Chair shall be the ~~Director of Planning Services and Chief Planning Official~~Commissioner of Public Works for Halton Region, or a designate.

## 11. Roles and Responsibilities of the Committee Chair

11.1 The Committee Chair shall:

- a) preside over the meetings of the Committee;
- b) assist the Committee in reaching consensus.

11.2 While presiding over a meeting, the Committee Chair shall:

- a) preserve order and decide all questions of order;
- b) confirm a summary of the points raised during discussion;
- c) adjourn the meeting when business is concluded.

## 12. Roles and Responsibilities of Committee Members

12.1 Committee Members shall:

- a) attend and actively participate at all meetings;

- b) work with other Committee Members to attempt to reach consensus on matters before the Committee; and
- c) adhere to these Terms of Reference, the Regional Procedural By-Law and the Advisory Committee Code of Conduct.

### 13. Voting

13.1 The Committee will only vote on matters of procedure.

13.2 For all matters that are not procedural in nature, the Committee will not vote to achieve a singular position, rather the Chair will try to ensure that all options, their advantages and disadvantages regarding the issues are identified and recorded. The Chair and the Committee will strive to reach consensus, while recognizing and respecting minority views.

13.3 If there is a vote on matters of procedure, a motion shall be deemed to be carried when a Majority of the members present and voting vote in favour of it. Consequently, on a tie vote, the motion is lost. Any Committee Members present during the vote who abstain from voting will be deemed to have voted against the motion.

### 14. Public Access, Closed Meetings and Delegations

14.1 All Committee meetings shall be open to the public. The Committee shall not hold meetings or portions of meetings that are closed to the public.

14.2 Members of Regional Council who are not Committee Members may attend meetings and participate in the discussion.

14.3 Other persons in attendance at the meeting may be heard from the floor by first making a request to the Chair during proceedings. A Majority of the Committee must then vote in favour of hearing from the person making the request. The decision of the Committee in each instance will be final.

14.4 Every person shall have five (5) minutes to speak to the Committee unless the Committee Chair obtains Committee's approval to extend or limit the speaking time.

14.5 Following a Delegation, Committee members, the Chair, and applicable Staff shall be limited to asking questions for clarification or for additional and relevant information only.

14.6 No Delegate shall:

- a) speak disrespectfully of any person;
- b) use offensive words or inappropriate language;

- c) speak on any subject other than the subject for which they have received approval to address the Committee; or
- d) disobey the rules of procedure or a decision of the Chair or Committee.

## 15. Resources

### 15.1 Clerk's Staff

Clerk's Staff prepares minutes and agendas and provides general administrative coordination for meetings, including electronic circulation of information packages.

### 15.2 Staff Liaison

The Staff Liaison will provide advisory support to the Committee, including coordination and preparation of background information, presentations, and resources to Committee Members to assist them in their role, and will ensure that the Committee adheres to its goal, scope and purpose as defined in these Terms of Reference.

### 15.3 Assistant Corporate Counsel

Assistant Corporate Counsel is in attendance to provide input from an process flow and continuous improvement perspective where the development process interfaces with Halton Region's Legal Services department. Assistant Corporate Counsel is not to provide legal advice to the Committee, and the Committee shall not seek legal advice from the Legal Services department.

### 15.4 Additional Advisory Staff

Other Staff not noted in Sections 15.1 through 15.3 may provide advice, deliver presentations and/or participate in Committee discussions as required from time to time. The Staff Liaison will coordinate all such additional participation. The Committee may also request the participation of other individuals with a particular area of expertise. The Staff Liaison will coordinate such requests made by the Committee.

## 16. Committee Records

16.1 Clerk's Staff will co-ordinate and retain Committee records including agendas, minutes, any subcommittee reports (if applicable and as required), annual reports and aims and objectives.

16.2 Annual reports for the Committee including, but not limited to, annual achievements and work plans, shall be coordinated by the staff Liaison in concert with the Committee.

- 16.3 Committee Records listed in Sections 16.1 and 16.2 shall be maintained by the Office of the Regional Clerk.
- 16.4 Agenda packages shall be circulated by the Clerks' Department to members of the Committee, all members of Regional Council, and all members of the mailing list for electronic circulation maintained by the Staff Liaison authorized by Section 5.3 of this Terms of Reference.
- 16.5 Regional staff shall cite feedback received at or from the Committee in reporting on that project.
17. Maintenance and Refinement of Terms of Reference
  - 17.1 These Terms of Reference shall be reviewed at the end of each term by Regional Council.
  - 17.2 Amendments to these Terms of Reference may be proposed by the Committee, through Staff, to Regional Council. Only Regional Council may approve changes to these Terms of Reference.
18. Committee Communications
  - 18.1 When communicating on behalf of the Committee to Regional Council or a Regional Standing Committee, including appearing as a Delegate at meetings of same, a Committee Member shall reflect the decisions made and positions taken by the Committee.
  - 18.2 A Committee Member may, in communications to Regional Council or a Regional Standing Committee, including appearing as a Delegate at meetings of same, present a position that differs from the Committee's position; however, in that instance, they must make clear that they are appearing on their own behalf or on behalf of another organization, and not as a representative of the Committee.
  - 18.3 The Committee shall not declare that the Committee's decisions or positions are the official position of the Region, without the direct authorization of Regional Council.
  - 18.4 Any communications regarding the Committee in its official capacity shall be conveyed to the public by Staff, as required.
  - 18.5 Nothing in Section 18 is meant to affect the free and open dialogue at Committee meetings or among Committee Members.
19. Reimbursement of Expenses

19.1 Committee Members serve without remuneration.

20. Application of Region's Procedural By-Law

20.1 The Committee shall, at all times, where applicable and to the extent possible, follow the procedures and practices set out in the Regional Procedural By-Law.

## Halton Developers' Liaison Committee

### 2022-2026 Terms of Reference

1. Council Mandate
  - 1.1 The Halton Developers' Liaison Committee has been established by Regional Council in accordance with these adopted Terms of Reference.
2. Goal, Scope and Purpose
  - 2.1 The goal of the HDLC is to discuss issues of mutual concern related to land development matters in Halton Region, including considering possible solutions around alternatives when presented.
  - 2.2 This Liaison Committee is not an Advisory Committee of Regional Council, although minutes from the Committee will be made available to Regional Council through circulations. While not an Advisory Committee, HDLC is expected to follow the Code of Conduct for Advisory Committees.
  - 2.3 The Chair and the Committee as a whole will strive to reach consensus on advice and perspectives related to the Committee's mandate. Some voting options are provided as detailed within these Terms of Reference.
  - 2.4 The purposes of the HDLC are to provide feedback and receive and/or share information related to matters of land development, including, but not limited to:
    - a) the implementation, review and monitoring of Regional requirements with respect to land development;
    - b) the rollout, take-up, and monitoring of the Region's Allocation Programs and related means to finance growth-related infrastructure;
    - c) Halton programs and initiatives that could have an impact on general land development-related matters;
    - d) change management surrounding Regional programs and initiatives and service delivery related to development review; and
    - g) the work plan for the Committee for each year and the preparation of a report to Regional Council on its activities at the end of term.
3. Committee Dissolution
  - 3.1 When the stated Committee goal, scope and purpose, as established by Regional Council and outlined in Section 2 of these Terms of Reference, have been achieved, Staff shall initiate a process of review, consulting with Committee members and referring to Committee annual reports, meeting minutes, records and any other relevant Committee documents.

3.2 If dissolution is appropriate, Staff will forward a report recommending dissolution of the Committee to Regional Council for approval.

#### 4. Definitions

“Clerk’s Staff” shall mean the Regional Clerk or other member of the Office of the Regional Clerk assigned to work with the Committee.

“Committee” shall mean the Halton Developers’ Liaison Committee.

“Committee Members” shall mean members appointed to the Halton Developers’ Liaison Committee, pursuant to these Terms of Reference and the Regional Procedural By-Law.

“Conservation Authorities” shall mean Conservation Halton, Credit Valley Conservation Authority, and Grand River Conservation Authorities.

“Delegate” shall mean any person, group of persons, firm or organization that is neither a Committee Member nor a member of Regional Council or Staff, wishing to address the Committee, and “Delegation” shall refer to the presentation of same.

“Local Municipalities” shall mean the City of Burlington, the Town of Halton Hills, the Town of Milton, and the Town of Oakville.

“Majority” shall mean a number greater than half of the total.

“Region” shall mean The Regional Municipality of Halton.

“Regional Council” shall mean the Council of the Region.

“Regional Procedural By-Law” shall mean the Region’s By-law No. 90-19 as amended or replaced from time to time, being a by-law to govern the calling, place and proceedings of Regional Council and its committees and the conduct of its members.

“Staff” shall mean employees of the Region.

“Staff Liaison” shall mean an employee of the Region assigned to work with the Committee in an advisory capacity.

#### 5. Composition

5.1 The Committee shall be comprised of a maximum of 21 Members, consisting of the following members:

- a) Up to 11 private sector development professionals, appointed by Regional Council and ideally with the following balanced representation:
    - a. 1 real estate professional;
    - b. 2 land use planning professionals;
    - c. 2 engineering professionals;
    - d. 2 construction professionals; and
    - e. 4 general land development professionals.
  - b) Generally 5 senior Regional staff representatives responsible for;
    - a. Development Application Review;
    - b. Infrastructure Planning and Delivery;
    - c. Development Infrastructure Financing; and
    - d. Development Engineering.
  - c) 4 members of Council, comprised of 1 Councillor from each Local Municipality, appointed by Regional Council; and
  - d) The Regional Chair.
- 5.2 Wherever possible and where appropriate, a balanced representation of individuals to reflect experiences from all Local Municipalities is preferred.
- 5.3 The Staff Liaison shall maintain a mailing list that can include any member of the public for electronic circulation of agendas, minutes, and presentations by the Clerks Department.
- 5.4 Notwithstanding Section 5.1(c) above, Council may appoint additional members of Regional Council to the Committee as members. All members of Council are invited to attend either Committee or Sub-committee meetings.
- 5.5 Staff from the Conservation Authorities and Local Municipalities are not members of the Committee, but are invited and encouraged to attend and participate in Committee meetings to ensure collaborative efforts in advancing improvements in service delivery.
- 5.6 Project-driven sub-committees may be established as required by the Chair, in consideration of the advice of the Committee, to provide a defined forum for feedback into major Regional projects and initiatives.
- 5.7 Sub-committees shall use the same rules as those for the Committee.
- 5.8 Members of a sub-committee shall only be selected from the Committee to a maximum of 8 total members, exclusive of members of Council and the Regional Chair.
6. Selection of Members

- 6.1 Vacancies on the Committee for positions that are not staff appointments or Members of Regional Council shall be advertised to the public at the beginning of the Committee term and during the term as needed.
- 6.2 All Committee Members that are to be appointed by Regional Council shall be selected by the Interview Committee in accordance with the Regional Procedural By-Law.
- 6.3 Regional Council may seek assistance from the Staff Liaison in determining the criteria for evaluating prospective Committee Members' eligibility for the Committee. The Staff Liaison may participate in interviews in an advisory capacity only and shall not be permitted to ask questions of prospective Committee Members or to participate in the Interview Committee's decision-making.
- 6.4 If a Committee Member is unable to complete the term as set out in Section 7 below, a new Committee Member may be appointed by Regional Council following the above-noted procedures.
- 6.5 Alternates shall not be permitted for Committee Members appointed by Regional Council.

## 7. Term

- 7.1 Committee Members shall be appointed for a term that coincides with the term of Regional Council, expiring on November 14 of the year in which a municipal election is held, unless otherwise provided by resolution of Regional Council, or until successors are appointed.
- 7.2 A Committee Member may resign from the Committee at any time by advising of this intention in writing to the Committee Chair, Clerk's Staff or the Staff Liaison.
- 7.3 A Committee Member is deemed to have resigned from the Committee if at any time during the term the Committee Member has not attended three consecutive scheduled meetings of the Committee and has not communicated to the Committee Chair, Clerk's Staff or Staff Liaison during that time period indicating intentions to remain on the Committee.

## 8. Frequency of Meetings

- 8.1 The Committee shall normally meet once every quarter, or at any other time at the call of the Committee Chair.
- 8.2 The Chair can cancel meetings if there is an insufficient number of agenda items to justify a meeting.

9. Quorum

9.1 A quorum shall be a Majority of the Committee Members.

9.2 If quorum for a Committee meeting is not present within fifteen (15) minutes of the time fixed for the commencement of the meeting, or if quorum is lost during the course of a meeting, the Committee may proceed without a quorum being present. The minutes of the meeting must indicate that quorum was not present.

10. Selection of the Committee Chair

10.1 The Committee Chair shall be the Commissioner of Public Works for Halton Region, or a designate.

11. Roles and Responsibilities of the Committee Chair

11.1 The Committee Chair shall:

- a) preside over the meetings of the Committee;
- b) assist the Committee in reaching consensus.

11.2 While presiding over a meeting, the Committee Chair shall:

- a) preserve order and decide all questions of order;
- b) confirm a summary of the points raised during discussion;
- c) adjourn the meeting when business is concluded.

12. Roles and Responsibilities of Committee Members

12.1 Committee Members shall:

- a) attend and actively participate at all meetings;
- b) work with other Committee Members to attempt to reach consensus on matters before the Committee; and
- c) adhere to these Terms of Reference, the Regional Procedural By-Law and the Advisory Committee Code of Conduct.

13. Voting

13.1 The Committee will only vote on matters of procedure.

13.2 For all matters that are not procedural in nature, the Committee will not vote to achieve a singular position, rather the Chair will try to ensure that all options, their advantages and disadvantages regarding the issues are identified and

recorded. The Chair and the Committee will strive to reach consensus, while recognizing and respecting minority views.

13.3 If there is a vote on matters of procedure, a motion shall be deemed to be carried when a Majority of the members present and voting vote in favour of it. Consequently, on a tie vote, the motion is lost. Any Committee Members present during the vote who abstain from voting will be deemed to have voted against the motion.

#### 14. Public Access, Closed Meetings and Delegations

14.1 All Committee meetings shall be open to the public. The Committee shall not hold meetings or portions of meetings that are closed to the public.

14.2 Members of Regional Council who are not Committee Members may attend meetings and participate in the discussion.

14.3 Other persons in attendance at the meeting may be heard from the floor by first making a request to the Chair during proceedings. A Majority of the Committee must then vote in favour of hearing from the person making the request. The decision of the Committee in each instance will be final.

14.4 Every person shall have five (5) minutes to speak to the Committee unless the Committee Chair obtains Committee's approval to extend or limit the speaking time.

14.5 Following a Delegation, Committee members, the Chair, and applicable Staff shall be limited to asking questions for clarification or for additional and relevant information only.

14.6 No Delegate shall:

- a) speak disrespectfully of any person;
- b) use offensive words or inappropriate language;
- c) speak on any subject other than the subject for which they have received approval to address the Committee; or
- d) disobey the rules of procedure or a decision of the Chair or Committee.

#### 15. Resources

##### 15.1 Clerk's Staff

Clerk's Staff prepares minutes and agendas and provides general administrative coordination for meetings, including electronic circulation of information packages.

## 15.2 Staff Liaison

The Staff Liaison will provide advisory support to the Committee, including coordination and preparation of background information, presentations, and resources to Committee Members to assist them in their role, and will ensure that the Committee adheres to its goal, scope and purpose as defined in these Terms of Reference.

## 15.3 Assistant Corporate Counsel

Assistant Corporate Counsel is in attendance to provide input from an process flow and continuous improvement perspective where the development process interfaces with Halton Region's Legal Services department. Assistant Corporate Counsel is not to provide legal advice to the Committee, and the Committee shall not seek legal advice from the Legal Services department.

## 15.4 Additional Advisory Staff

Other Staff not noted in Sections 15.1 through 15.3 may provide advice, deliver presentations and/or participate in Committee discussions as required from time to time. The Staff Liaison will coordinate all such additional participation. The Committee may also request the participation of other individuals with a particular area of expertise. The Staff Liaison will coordinate such requests made by the Committee.

## 16. Committee Records

16.1 Clerk's Staff will co-ordinate and retain Committee records including agendas, minutes, any subcommittee reports (if applicable and as required), annual reports and aims and objectives.

16.2 Annual reports for the Committee including, but not limited to, annual achievements and work plans, shall be coordinated by the staff Liaison in concert with the Committee.

16.3 Committee Records listed in Sections 16.1 and 16.2 shall be maintained by the Office of the Regional Clerk.

16.4 Agenda packages shall be circulated by the Clerks' Department to members of the Committee, all members of Regional Council, and all members of the mailing list for electronic circulation maintained by the Staff Liaison authorized by Section 5.3 of this Terms of Reference.

16.5 Regional staff shall cite feedback received at or from the Committee in reporting on that project.

17. Maintenance and Refinement of Terms of Reference
  - 17.1 These Terms of Reference shall be reviewed at the end of each term by Regional Council.
  - 17.2 Amendments to these Terms of Reference may be proposed by the Committee, through Staff, to Regional Council. Only Regional Council may approve changes to these Terms of Reference.
18. Committee Communications
  - 18.1 When communicating on behalf of the Committee to Regional Council or a Regional Standing Committee, including appearing as a Delegate at meetings of same, a Committee Member shall reflect the decisions made and positions taken by the Committee.
  - 18.2 A Committee Member may, in communications to Regional Council or a Regional Standing Committee, including appearing as a Delegate at meetings of same, present a position that differs from the Committee's position; however, in that instance, they must make clear that they are appearing on their own behalf or on behalf of another organization, and not as a representative of the Committee.
  - 18.3 The Committee shall not declare that the Committee's decisions or positions are the official position of the Region, without the direct authorization of Regional Council.
  - 18.4 Any communications regarding the Committee in its official capacity shall be conveyed to the public by Staff, as required.
  - 18.5 Nothing in Section 18 is meant to affect the free and open dialogue at Committee meetings or among Committee Members.
19. Reimbursement of Expenses
  - 19.1 Committee Members serve without remuneration.
20. Application of Region's Procedural By-Law
  - 20.1 The Committee shall, at all times, where applicable and to the extent possible, follow the procedures and practices set out in the Regional Procedural By-Law.

THE REGIONAL MUNICIPALITY OF HALTON

MEETING NO. 01-22

NAME OF MEETING: HALTON DEVELOPERS LIAISON COMMITTEE

DATE OF MEETING: Friday, February 25, 2022  
9:00 a.m.

PLACE OF MEETING: Zoom Video Conference

MEMBERS PRESENT: Curt Benson, Director, Planning Services and Chief Planning Official (Chair)

Councillors: Tom Adams, Angelo Bentivegna, Jane Fogal

Development Members: Allen Benson, Colin Chung, Mike Dickie, Nathan Jamieson, Ryan Kerr, Michael Laplante, Jennifer Lawrence, Dave Leighton, Lino Malito, Peter Meiklejohn, Sohail Naseer, Ryan Oosterhoff, Lana Russell, Jason Sheldon, Kevin Singh, Michael Vernooy

REGRETS: Councillor Rick Malboeuf, Regional Chair Gary Carr

STAFF PRESENT: Marek Braczek, Matthew Buist, Michaela Campbell, Kristen Delong, Katherine Fleet, Alicia Jakaitis, Christopher James, Lee Anne Jones, Paula Kobli, Owen McCabe, Graham Milne, Leila Mirriahi, Laurielle Natyway, Sarah Phillips, Bernie Steiger, Kelly Yerxa

INTRODUCTION/ROLL CALL

Curt Benson, Director, Planning Services and Chief Planning Official, welcomed the Committee and noted the attendance of the membership present. The Clerk presented the Region's land acknowledgement.

AGENDA

**1. November 26, 2021 Meeting Minutes Review & Approval**

The minutes were accepted as circulated.

*Minutes of Halton Developers Liaison Committee Meeting No. 01-22, Friday, February 25, 2022*

## **2. Allocation Infrastructure Status Update**

Marek Braczek, Director, Engineering & Construction, Public Works, gave an update on the construction of the following Regional facilities:

- Ashgrove Booster Pump Station (Zone 6)
- Watermain from Ashgrove BPS to Georgetown (Zone 6)
- Georgetown Water and Wastewater Servicing
- Eighth Line/Trafalgar Trunk Sewer
- Watermain on Britannia Road (Fourth Line to Regional Road 25)
- Wastewater Trunk and Watermain on Britannia Road
- Drumquin Pump Station (including wastewater main on Britannia Road to east of Trafalgar Road)
- Zone 3/4/5 Boundary Transfer Projects: Fourth Line and Neyagawa Booster Pump Stations
- 400 mm watermain under William Halton Parkway (easterly from Third Line)
- Wastewater Trunk Main on Trafalgar Road (Wheat Boom Drive to Burnhamthorpe Road)
- Wastewater Trunk Main on Dundas Street (Tremaine Road to Colonel William Parkway)

## **3. Regional Official Plan Review Update**

Curt Benson provided an update on the status of the Regional Official Plan Review, highlighting the use of the February 9<sup>th</sup>, 2022 meeting of Council as an informational workshop and the motion adopted by Council on February 16<sup>th</sup> directing staff to prepare a Regional Official Plan Amendment to accommodate growth to 2041 without an urban boundary expansion and a policy framework to determine how growth should be distributed post-2041 with minimal land consumption. Mr. Benson outlined how this motion impacts the process of the Regional Official Plan Review and provided an overview of the schedule to complete the Review, with staff intending to file a recommendation to adopt an amendment in line with the February 16<sup>th</sup> motion in June 2022.

## **4. General Updates**

Curt Benson provided a summary of the Province of Ontario's recent activities relating to increasing housing supply (Ontario Housing Affordability Task Force). Staff responded to questions from the development members of the Committee and others in attendance.

## **OTHER BUSINESS**

There was no other business.

**ADJOURNMENT**

Adjournment: 9:53 a.m.

THE REGIONAL MUNICIPALITY OF HALTON

MEETING NO. 02-22

NAME OF MEETING: HALTON DEVELOPERS LIAISON COMMITTEE

DATE OF MEETING: Friday, April 29, 2022  
9:00 a.m.

PLACE OF MEETING: Zoom Video Conference

MEMBERS PRESENT: Curt Benson, Director, Planning Services and Chief Planning Official (Chair)

Councillors: Angelo Bentivegna

Development Members: Allen Benson, Mike Dickie, Ryan Kerr, Michael LaPlante, Jennifer Lawrence, Dave Leighton, Lino Malito, Peter Meiklejohn, Lana Russell, Jason Sheldon, Michael Telawski

REGRETS: Councillor Tom Adams, Councillor Jane Fogal, Councillor Rick Malboeuf, Regional Chair Gary Carr

STAFF PRESENT: Andrew Farr, Marek Braczek, Matthew Buist, Michaela Campbell, Christine Carrington, Kristen Delong, Katherine Fleet, Alicia Jakaitis, Christopher James, Lee Anne Jones, Paula Kobli, Owen McCabe, Graham Milne, Leila Mirriahi, Laurielle Natywary, Bernie Steiger, Dan Tovey, Kelly Yerxa

INTRODUCTION/ROLL CALL

Curt Benson, Director, Planning Services and Chief Planning Official, welcomed the Committee and noted the attendance of the membership present. The Clerk presented the Region's land acknowledgement.

AGENDA

**1. February 25, 2022 Meeting Minutes Review & Approval**

The minutes were accepted as circulated.

## **2. Provincial Streamlining Development Review Fund**

Laurielle Natyway, Manager, Community Planning North, advised that a series of proposed projects were submitted to the Province the previous week related to development review, how development review and Public Works interface, as well as projects related to processing of legal agreements and engineering approvals. The projects are intended to focus on technological workflow and internal process improvement.

## **3. Regional Official Plan Review Update**

Owen McCabe, Senior Planner - Regional Systems and Growth Management, provided an update on the key milestones in the Regional Official Plan Review process that have occurred since the last HDLC meeting: the amendment to the Integrated Growth Management Strategy through proposed ROPA 49. The intent is for Council to approve the amendment to be submitted to the Minister of Municipal Affairs and Housing for approval by the deadline of July 1, 2022. Curt Benson noted that those who have contributed to the process may be added as a party if the Minister submits the Amendment to the Ontario Land Tribunal.

## **4. Allocation Programs Update**

Marek Braczek, Director, Engineering & Construction, Public Works, provided an update on the status of several projects:

- Ashgrove Booster Pump Station (Zone 6)
- Watermain from Ashgrove BPS to Georgetown (Zone 6)
- Georgetown Water and Wastewater Servicing (10 Side Road, Eighth Line, and Mountainview)
- Eighth Line/Trafalgar Trunk Sewer
- Watermain on Britannia Road (Fourth Line to Regional Road 25)
- Wastewater Trunk and Watermain on Britannia Road
- Drumquin Pump Station (including Wastewater Main on Britannia Road to east of Trafalgar Road)
- Zone 3/4/5 Boundary Transfer Projects (Fourth Line and Neyagawa PS Alterations)
- 400mm Watermain under William Halton Parkway (easterly from Third Line)
- Wastewater Trunk Main on Trafalgar Road (Wheat Boom Drive to Burnhamthorpe Road)
- Wastewater Trunk Main on Dundas Street (Tremaine Road to Colonel William Parkway)
- Zone 3/4/5 Boundary Transfer Projects

**OTHER BUSINESS**

There was no other business.

**ADJOURNMENT**

Adjournment: 9:30 a.m.



**VIA EMAIL**

June 7, 2023

Legislative & Planning Services  
Department  
Office of the Regional Clerk  
1151 Bronte Road  
Oakville ON L6M 3L1

Kevin Arjoon, City Clerk, City of Burlington  
Meaghan Reid, Town Clerk, Town of Milton  
Vicki Tytaneck, Town Clerk, Town of Oakville  
Valerie Petryniak, Town Clerk, Town of Halton Hills  
Kellie McCormack, Conservation Halton  
Joshua Campbell, Credit Valley Conservation  
Samantha Lawson, Grand River Conservation  
Heather Watt, Ministry of Municipal Affairs and Housing  
Kathy Woeller, Niagara Escarpment Commission  
Dan Thompson, Ministry of Natural Resources and Forestry  
Anna DeMarchi-Meyers, Halton Agricultural Advisory Committee  
Monika Keliacius, Halton Natural Heritage Advisory Committee

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Please be advised that at its meeting held Wednesday, May 24, 2023, the Council of the Regional Municipality of Halton adopted the following resolution:

**RESOLUTION: LPS27-23 - Halton Tree By-Law and Woodlands Stewardship Program – 2022 Annual Report**

1. THAT Report No. LPS27-23 Re: “Halton Tree By-Law and Woodlands Stewardship Program – 2022 Annual Report” be received for information.
2. THAT the Regional Clerk forward a copy of Report No LPS27-23 to the City of Burlington, the Town of Halton Hills, the Town of Milton, the Town of Oakville, Conservation Halton, Credit Valley Conservation, the Grand River Conservation Authority, the Niagara Escarpment Commission, MNRF (Ministry of Natural Resources and Forestry), HAAC (Halton Agricultural Advisory Committee), NHAC (Natural Heritage Advisory Committee) and MMAH (Ministry of Municipal Affairs and Housing), for their information.

**Regional Municipality of Halton**

HEAD OFFICE: 1151 Bronte Rd, Oakville, ON L6M 3L1

905-825-6000 | Toll free: 1-866-442-5866

Included please find a copy of Report No. LPS27-23 for your information. If you have any questions please contact me at the e-mail address below.

Sincerely,

A handwritten signature in blue ink, appearing to read 'G. Milne', is positioned below the word 'Sincerely,'.

Graham Milne  
Regional Clerk  
[graham.milne@halton.ca](mailto:graham.milne@halton.ca)



## The Regional Municipality of Halton

Report To:	Regional Chair and Members of Regional Council
From:	Bob Gray, Commissioner, Legislative and Planning Services and Corporate Counsel
Date:	May 24, 2023
Report No:	LPS27-23
Re:	Halton Tree By-Law and Woodlands Stewardship Program – 2022 Annual Report

### RECOMMENDATION

1. THAT Report No. LPS27-23 Re: “Halton Tree By-Law and Woodlands Stewardship Program – 2022 Annual Report” be received for information.
2. THAT the Regional Clerk forward a copy of Report No LPS27-23 to the City of Burlington, the Town of Halton Hills, the Town of Milton, the Town of Oakville, Conservation Halton, Credit Valley Conservation, the Grand River Conservation Authority, the Niagara Escarpment Commission, MNRF (Ministry of Natural Resources and Forestry), HAAC (Halton Agricultural Advisory Committee), NHAC (Natural Heritage Advisory Committee) and MMAH (Ministry of Municipal Affairs and Housing), for their information.

### REPORT

#### **Executive Summary**

- The purpose of this report is to provide Regional Council with an update on Forestry initiatives including management of the Regional forest tracts and wooded properties; administration of the Woodlands Stewardship Program; and enforcement of Halton Tree By-Law No. 121-05 (the “Tree By-Law”) which protects healthy forests, tree conservation, prevents clear cutting of woodlands and regulates tree harvesting across Halton.
- Halton’s Tree By-Law promotes tree conservation and protects forest ecosystems. In 2022, the Regional Foresters responded to 69 Tree By-Law enquiries and complaints relating to potential removal of woodlands and/or tree injury and destruction. Ten of these progressed to detailed investigations and eight were

deemed as infractions of the Tree By-Law, amounting to 7.79 ha of destroyed woodland and complete vegetation removal of 16.42 ha of Natural Heritage System lands.

- Under the Woodlands Stewardship Program in 2022, landowners applied for and utilized \$6,315.08 in Regional funding to plant 7.41 hectares of new forest land. This includes funding for the Friends of Bronte Creek, a community group that will plant trees at former agricultural fields at Bronte Creek Provincial Park. One 4.86 Ha field was planted in 2022 and 8 hectares are proposed to be planted in 2023.
- Through the Woodlands Stewardship Program, landowners in Halton have also accessed \$3,711.40 in Regional funding to have Forest Management Plans prepared by Registered Professional Foresters. These plans covered 135.91 hectares of woodland in our Region and will contribute to good management and forestry practices and aid in the protection of these woodlands.
- In late 2022, the Regional Forest Tracts, which are Forest Stewardship Council® (FSC®) certified, were subjected to a comprehensive third party audit under the group certificate of the Eastern Ontario Model Forest's Forest Certification Program, of which the Region is a member through a memorandum of understanding. The Region was successful with the audit and evaluation of the Regional forests and forest management practices and has successfully maintained the FSC® certification.

## Background

Halton's first Tree By-Law was adopted by Regional Council in 1983. Since that time, there has been a growing appreciation of the importance of forest resources and their contributions to Halton's natural heritage. Regional Council, as part of the 2004 review of Halton's Official Plan, requested staff prepare a new Tree By-Law. Section 135 of the *Municipal Act, 2001* provides for an upper-tier municipality to prohibit or regulate the destruction or injuring of trees in woodlands. In addition, a municipality must have regards to good forestry practices as defined in the *Forestry Act*. The current Halton Tree By-Law came into force January 1, 2006, and is based on good forestry practices and the definition of 'woodlands' consistent with the *Forestry Act*.

The Woodlands Stewardship Program promotes active management of forest resources on private lands in Halton with funding dedicated to increase the quantity and quality of forested areas within Halton for the long term. The Regional Tree By-Law included a set of complementary and supporting programs or incentives to encourage stewardship of forestry resources by individual landowners. Guidelines for applicant qualification were further refined in 2007 through an adoption by Council. As part of the commitment to delivering these services, staff provides Council with annual updates on these activities.

## Discussion

The Region's Forestry initiatives include:

- Administration of the Tree By-Law through review and approval of tree harvesting permits and forest management plans, conducting site inspections, overseeing compliance and assisting in legal proceedings when necessary to address Tree By-Law infractions.
- Providing front-line public assistance and education to landowners and Halton Region's partner agencies on the principles of good forestry practices as instilled within all of Halton's forestry related programs.
- Implementing the recommendations of the Halton Regional Forest Management Plan (2005-2024), retaining Forest Stewardship Council® (FSC®) certification and ensuring the maintenance and enhancement of the Halton Regional Forest by conducting forest health monitoring, preparing silvicultural prescriptions, supervising capital works projects and overseeing day to day maintenance of Halton's 14 forest tracts in facilitation with user groups and citizens advisory committees. The development of the next 20 year Forest Management Plan is scheduled to commence in 2023.
- Fostering a culture of stewardship amongst Halton Region's woodland owners by developing and administering a Woodlands Stewardship Program for both private and public forests throughout Halton including the assessment of forestry management and stewardship proposals eligible for financial incentives.
- Reviewing and assessing forestry and tree matters on Region-owned properties to increase canopy; providing guidance on the Tree Canopy Replacement Policy; preparing tenders for tree work; performing auditing work; providing technical advice to Planning in support of development applications, and to Public Works on Regional projects including roads, water and wastewater infrastructure; guidance on the Regional Tree Compensation Policy.
- An operating plan within the Forest Tracts is prepared annually for Halton's Forest Tracts. In 2023 this work will include tree marking in preparation for forest harvesting in Elliot, Cox, Laking, and Snyder Tracts. Harvesting is not an annual event, and only occurs when thinning or specific tree removal is required to promote the health of the woodlands as a whole.

Enquiries and support requests for 2022, displayed in Table 1, were tracked under the following six categories:

1. **Halton Tree By-Law** – all activities related to the administration of the Tree By-Law including enquiries relating to permitted and non-permitted tree removal under the Tree By-Law, as well as conducting investigations and identifying and pursuing infractions.

2. **Regional Forest Lands** – includes enquiries specifically relating to Halton Regional Forest Tracts and other Regional forested lands.
3. **Woodlands Stewardship Program** – includes administration of the program relating to the management of existing private woodlands or afforestation on private lands.
4. **Support for Planning Services** – includes requested support of the Legislative & Planning Services Department. This includes dripline staking, woodlands consultation, review and comment on planning applications, Environmental Impact Assessments (EIAs), among others.
5. **Support for Public Works** – includes requests related to trees and woodlands with regards to capital projects, road operations, and inspections for maintenance on regionally-owned wooded properties.
6. **Other Residential / Municipal Enquiries** – includes enquiries from the public and municipal employees related to all aspects of tree / woodland care and maintenance that are not applicable to the other categories (such as hunting enquiries, tree marking, invasive species, hazard tree queries, etc.).

**Table 1. 2022 Enquires by Type and Municipality**

Municipality	Regional Forest Lands	Woodlands Stewardship	Support for Planning	Support for Public Works	Other Residential / Municipal Enquires	Halton Tree By-Law
Burlington	0	2	8	3	21	15
Halton Hills	8	3	20	5	5	15
Milton	53	15	12	6	9	31
Oakville	2	1	3	11	14	3
Other	0	0	10	5	11	5
<b>SUB TOTALS</b>	<b>63</b>	<b>21</b>	<b>53</b>	<b>30</b>	<b>60</b>	<b>69</b>
<b>COMBINED TOTALS FOR YEAR</b>						<b>296</b>

In 2022, for all six categories tracked, there were a total of 296 enquiries and support requests directed to the Regional Foresters. There were 313 in 2021. Time spent on each varied widely based on complexity, required site visits, and if it led to legal involvement or a By-Law infraction.

Only enquiries relating to the Tree By-Law, Regional Forest Lands, and Woodlands Stewardship (WSP) program were tracked prior to 2021. Based on the data, the program

is seeing consistent increases in residents accessing the services of the Regional Forester. Categorizing enquiry data will allow staff to better understand evolving customer service needs.

### Halton Tree By-Law

The Tree By-Law is an important tool that is complementary with current legislation and Regional policy. The Municipal Act, 2001 allows the Region to have and enforce a Tree By-Law to regulate the removal of trees within woodlands.

An initial analysis of a complaint or enquiry is conducted through a desktop review to better understand the circumstances of the potential infraction and collect background information. Field visits are conducted to obtain an initial view of the site, collect further information from the informant, and/or the Landowners. Detailed investigations are initiated for potential infractions of the Tree By-Law and include discussions with landowners and persons/contractors involved in the incidents to obtain more detailed field assessments, measurements, photographs, and detailed records of activities.

Enquiries that resulted in detailed investigations for potential infractions of the Tree By-Law over the past five years are noted in Table 2.

There was a sustained high investigation rate in 2022 from 2021, with eight infractions. The infractions identified in 2022 resulted in more than 150% more lost woodland area with 24.57ha, than 2021 which was already a high year with 11.89ha of lost woodland area. Staff have identified that many of the infractions have been on properties that have recently sold, which may indicate that land is being bought by those who are unaware or unfamiliar with Regional By-Laws. As a result, for 2023, staff are in the process of developing enhanced communication approaches for new woodland owners and developing an educational campaign with a broader audience in mind.

**Table 2. Completed Detailed Investigation Summary Comparison by Year**

Municipality	2017		2018		2019		2020		2021		2022	
	Inv.	Inf.	Inv.	Inf.	Inv.	Inf.	Inv.	Inf.	Inv.	Inf.	Inv.	Inf.
<sup>1</sup>												
Burlington	2	0	0	0	0	0	0	0	2	2	1	1
Halton Hills	2	0	1	1	3	0	3	1	6	6	4	3
Milton	1	0	1	0	2	0	1	0	2	2	5	4
Oakville	1	0	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>6</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>5</b>	<b>0</b>	<b>4</b>	<b>1</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>8</b>

<sup>1</sup> Inv. refers to detailed investigations and Inf. refers to infractions. An infraction is a result of an investigation.

Administration of the Tree By-Law is not limited to investigations of potential infractions. Tree Harvest Permit applications are also reviewed and issued where tree removal can occur in accordance with good forestry practices.

There are three types of harvesting activities authorized in 2022 by the Regional Foresters. The first type of activity is a Harvest with a permit in accordance with an approved tree removal plan. In 2022, there were no Harvest Permits issued.

The second type of harvest activity that can permissibly occur is where the landowner has provided the Region a Forest Management Plan with proposed and prescribed harvesting activities approved by a Registered Professional Forester. In 2022, two Forest Management Plans were reviewed and subsequent harvests authorized.

The third type of harvest activity is a Special Council Permit. This permitting system is used when the area harvested is not in accordance with good forestry practices, but is permitted in the Tree By-Law, with a thorough evaluation of the site, identification of possible alternatives, and subsequent permitting process with the landowner. Each Special Council Permit is brought forward to Council for review and consideration. In 2022, many enquiries were fielded, though no special council permits were received.

#### Woodlands Stewardship Program

In May of 2007, the Halton Woodlands Stewardship Program was adopted by Regional Council (Report No. PPW35-07). The program assists landowners with maintenance and enhancement of natural areas in the stewardship of Halton's forested areas for the long term.

Under the Woodlands Stewardship Program, Regional funding is available to landowners for plantation establishment (reimbursement for up to 50 per cent of incurred costs, to a maximum of \$2,000 per calendar year) and Forest Management Plan preparation (reimbursement for up to 50 per cent of costs incurred for plan preparation, to a maximum of \$1,000). In addition, tree marking services are available upon request to be conducted by the Regional Forester.

There were 17 total applications for the reporting period including an application led by a community group, Friends of Bronte Creek, looking to plant former agricultural fields at Bronte Creek Provincial Park. This was recognized by staff as a good opportunity to assist large scale planting on protected public land.

Table 3, summarizes the program funding utilized within each local municipality in 2022. Costs incurred were within the 2022 budget.

**Table 3. 2022 Woodlands Stewardship Program Funding Summary**

Municipality	Plantation Establishment/ Forest Enhancement		Forest Management Plan Preparation		Tree Marking Services
	ha	\$	ha	\$	ha
Burlington	0.20	244.21	-	-	-
Halton Hills	-	-	4.68	350.00	-
Milton	2.35	2,416.00	131.23	3,361.40	-
Oakville	4.86	3,614.51	-	-	-
<b>TOTAL</b>	<b>7.41</b>	<b>6,274.72</b>	<b>135.91</b>	<b>3,711.40</b>	<b>-</b>

### Forest Management Plan Review and Update

Halton Regional manages its forest tracts through the 20 year Forest Management Plan (2005-2024). A new Operating Plan is typically prepared every five years. Preparation of a new five-year Operating Plan also affords an opportunity to review progress toward achieving goals and objectives outlined in the 20-year forest management plan and to make adjustments where necessary.

### **Conclusion**

The forestry services described in the report protect woodlands in support of public enjoyment, and the protection of our natural environment. These initiatives have been designed to support and execute Council's Strategic Business Plan objectives around Environmental Sustainability, Natural Heritage Protection and Climate Change. Staff will continue to provide updates on the strategic alignment and value provided through this program on an annual basis.

FINANCIAL/PROGRAM IMPLICATIONS

The costs of administering the Tree By-Law and Woodlands Stewardship Program are included in the Legislative and Planning Services annual operating budget. The costs for the Tree By-Law review and update as well as the 20 year Forest Management Plan update are included in the Legislative and Planning Services 2023 operating budget.

Respectfully submitted,



Curt Benson  
Director, Planning Services and Chief  
Planning Official



Bob Gray  
Commissioner, Legislative and Planning  
Services and Corporate Counsel

Approved by



Jane MacCaskill  
Chief Administrative Officer

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

Curt Benson

Tel. # 7181

Attachments: None



VIA EMAIL

June 7, 2023

Legislative & Planning Services  
Department  
Office of the Regional Clerk  
1151 Bronte Road  
Oakville ON L6M 3L1

Kevin Arjoon, City Clerk, City of Burlington  
Meaghan Reid, Town Clerk, Town of Milton  
Vicki Tytaneck, Town Clerk, Town of Oakville  
Valerie Petryniak, Town Clerk, Town of Halton Hills  
Kellie McCormack, Conservation Halton  
Joshua Campbell, Credit Valley Conservation  
Samantha Lawson, Grand River Conservation  
Heather Watt, Ministry of Municipal Affairs and Housing

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Please be advised that at its meeting held Wednesday, May 24, 2023, the Council of the Regional Municipality of Halton adopted the following resolution:

**RESOLUTION: LPS34-23 - Regional Planning in a Post-Bill 23 Environment**

1. THAT Regional Council authorize staff to work collaboratively with the Halton Municipalities, Conservation Authorities and Province to ensure responsibilities for planning services in Halton are transitioned in the manner described in Report No. LPS34-23.
2. THAT the Chief Administrative Officer be authorized to execute any agreements, memorandums of understanding and ancillary documents that may be necessary to transition planning services in the manner described in Report No. LPS34-23.
3. THAT a copy of Report No. LPS34-23 be forwarded to the City of Burlington, the Town of Halton Hills, the Town of Milton, the Town of Oakville, Conservation Halton, Credit Valley Conservation, the Grand River Conservation Authority, and the Ministry of Municipal Affairs and Housing for information.

**Regional Municipality of Halton**

HEAD OFFICE: 1151 Bronte Rd, Oakville, ON L6M 3L1

905-825-6000 | Toll free: 1-866-442-5866

Included please find a copy of Report No. LPS34-23 for your information. If you have any questions please contact me at the e-mail address below.

Sincerely,



Graham Milne  
Regional Clerk  
[graham.milne@halton.ca](mailto:graham.milne@halton.ca)



**The Regional Municipality of Halton**

Report To:	Regional Chair and Members of Regional Council
From:	Bob Gray, Commissioner, Legislative and Planning Services and Corporate Counsel
Date:	May 24, 2023
Report No:	LPS34-23
Re:	Regional Planning in a Post-Bill 23 Environment

**RECOMMENDATION**

1. THAT Regional Council authorize staff to work collaboratively with the Halton Municipalities, Conservation Authorities and Province to ensure responsibilities for planning services in Halton are transitioned in the manner described in Report No. LPS34-23.
2. THAT the Chief Administrative Officer be authorized to execute any agreements, memorandums of understanding and ancillary documents that may be necessary to transition planning services in the manner described in Report No. LPS34-23.
3. THAT a copy of Report No. LPS34-23 be forwarded to the City of Burlington, the Town of Halton Hills, the Town of Milton, the Town of Oakville, Conservation Halton, Credit Valley Conservation, the Grand River Conservation Authority, and the Ministry of Municipal Affairs and Housing for information.

**REPORT**

**Executive Summary**

- Bill 23, *More Homes Built Faster Act, 2022*, (“Bill 23”) when fully implemented, will result in considerable changes to the Ontario Planning system. It will have the effect of significantly altering roles and responsibilities of upper-tier municipalities and Conservation Authorities and will place additional responsibilities with local municipalities.
- In keeping with our long standing partnership, the Halton Municipalities and Conservation Authorities have an interest in ensuring that changes are implemented in a seamless and integrated fashion.

- A transition plan is necessary and desirable to address with clarity the changing roles and responsibilities of Halton Region and the Conservation Authorities.
- This Report profiles some of the key changes associated with Bill 23 and how these will be implemented through a Transition Plan. A Transition Plan has been jointly developed by staff from the Local Municipalities and Conservation Authorities and endorsed by the Halton Area CAOs. The key aspects of the Transition Plan are highlighted in Attachment #1.
- This report recommends that staff be authorized to work collaboratively with the Halton Municipalities, Conservation Authorities and Province to ensure responsibilities for planning services in Halton are transitioned in a manner described in this Report.

## Background

Bill 23 when fully implemented, will result in significant changes to the Ontario Planning system.

Upon final proclamation of Bill 23, Halton Region will no longer have certain responsibilities for planning under the *Planning Act*. For example, the Regional Official Plan (ROP) will be deemed to constitute an official plan of the local municipality and the local municipality will be responsible for all aspects of implementation of the ROP until such a time that it is revoked and/or amended.

This is illustrated in Section 70.13(2) of the *Planning Act* that states, “*The portions of an official plan of an upper-tier municipality without planning responsibilities that are in effect immediately before the effective date and that apply in respect of any area in a lower-tier municipality are deemed to constitute an official plan of the lower-tier municipality, and this official plan remains in effect until the lower-tier municipality revokes it or amends it to provide otherwise.*”

Without the Regional Official Plan, and in accordance with other aspects of Bill 23, Regional Council will no longer be:

- an approval authority for local Official Plans and Amendments; nor
- able to appeal a matter under the Planning Act or act as a party to a matter before the Ontario Land Tribunal.

In addition, on January 1, 2023 *Ontario Regulation 596/22: Prescribed Acts – Subsections 21.1.1 (1.1) and 21.1.2 (1.1) of the Conservation Authorities Act (O. Reg. 596/22)* came into effect. This change prohibits Conservation Authorities from providing review and comments on *Planning Act* matters that are outside of the mandatory services defined by *Ontario Regulation 686/21: Mandatory Programs and Services*. As a result, technical review services for planning and development applications previously provided

by Conservation Authorities under Memorandums of Understanding with municipalities (e.g. technical reviews related to natural heritage and certain aspects of stormwater management) may no longer be provided.

## **Discussion**

Consistent with our long standing partnership, the Halton Municipalities and Conservation Authorities have an interest in ensuring that any changes to roles and responsibilities associated with Bill 23 be examined and implemented in a coordinated and collaborative fashion. In this regard, a Transition Plan has been developed. The key aspects of the Transition Plan that impact the Region are described below and summarized in Attachment #1.

### **1. Upon proclamation of Bill 23, the Region will no longer be responsible for the Regional Official Plan.**

Since the approval of the initial Regional Official Plan in 1980, Regional Council has closely integrated its priorities with the strong policy framework contained in the Regional Official Plan in advancing community interests. The ROP has been used to define the 'Regional interest' in many aspects of planning and service delivery and upon proclamation of Bill 23, the ROP will no longer be the responsibility of the Region.

In this regard, there are a range of long-standing interests where Council will no longer have a statutory mandate. These include, the protection of the natural heritage system, the protection of agricultural land and resources, the protection of employment lands, and planning for aggregate resources, to name a few. This represents a fundamental shift.

In response, the Transition Plan provides for the following:

- The Region will provide the necessary support to the local municipalities in assuming the responsibility for implementing the Regional Official Plan.
- The Region will not proceed with completing the balance of the Regional Official Plan Review (ROPA 50) dealing with matters relating to natural heritage, agriculture, climate change and indigenous relations on the basis that the local municipalities have agreed this work will be fulfilled once they have assumed the Regional Official Plan following proclamation.

### **2. The Region will no longer be the approval authority for Local Official Plans and Amendments.**

Since the approval of the Regional Official Plan in 1980, Halton Region has been the approval authority for local Official Plans and Amendments. Historically this authority has been delegated to the Chief Planning Official by Regional By-Law and has been

guided by a series of Regional By-Laws to exempt Amendments where there is no Regional interest. Upon Proclamation, the Region will no longer be the approval authority.

In response, the Transition Plan provides for the following:

- The Region will interpret the exemption criteria to ensure the greatest flexibility in support for exempting local Official Plans and Amendments.
- If an amendment is adopted but not yet approved upon Proclamation, the Region will approve the amendment as adopted unless otherwise instructed by the local municipality.

### **3. The Region will no longer have the right to appeal a decision on planning matters nor appear as a party to an Ontario Land Tribunal Hearing.**

Although extremely rare, the Region has the ability to appeal decisions to the Ontario Land Tribunal. Further, the Region has the ability to ensure its interests are protected by participating as a party to an Ontario Land Tribunal Hearing. Over the past four decades, there have been hundreds of examples where the Region, acting as a party at a Hearing, has been able to ensure the due protection of Regional interests. Upon proclamation of Bill 23, the Region will no longer have the ability to act as a party.

In response, the Transition Plan provides for the following:

- The Region will continue its practice in not exercising its right to appeal, except for extraordinary circumstances, in recognition of its changing role.
- In the period leading up to Proclamation, the Region may limit its involvement as a party at new Ontario Land Tribunal Hearings. The Region will discuss how to scope its role in files currently before the OLT with local municipalities.

### **4. The Region will have a more focused role in land use planning matters**

In implementing the Regional Official Plan, staff currently review and provide comment on the full range of land use planning matters, including those related to policy (Local Official Plans, Amendments, Secondary Plans and related background studies) and development (Plans of Subdivision, Zoning Amendments, Site Plans, etc.). Given that the Region will no longer be responsible for the Regional Official Plan, the Proclamation of Bill 23 will focus the Region's role related to land use matters.

In response, the Transition Plan provides for the following:

- The Region will work with the local municipalities to define the Region's role in land use planning matters specific to Regional functions that are not impacted by Bill 23.
- The Region will only participate in land use planning matters (policy and development) where there is a potential impact related to:
  - o Municipal water and wastewater servicing;

- Regional Transportation Systems;
- Waste Collection;
- Affordable and Assisted Housing;
- Responsibilities associated with a specific mandate prescribed by legislation (e.g. sourcewater protection, public health), and
- Other Regional services or functions that have a land component

## **5. Activities planned or underway to prepare for Proclamation of Bill 23 and Implementing the Future State**

In order to ensure that the changes to roles and responsibilities associated with Bill 23 can be implemented in a coordinated and collaborative fashion there are some additional activities the parties will be undertaking. Many of these are listed in Attachment #1 to this report.

One effective means of implementing roles and responsibilities is through a defined Memorandum of Understanding. Traditionally this has been an effective tool in Halton, having had at least two MOUs defining the Halton Planning System since 1999. Staff will be exploring this further with our local municipal partners as a means to define and implement the planned changes and to ensure the best possible outcomes for the Halton community. This report recommends that staff be authorized to execute any agreements, memorandums of understanding and ancillary documents necessary to transition planning services in the manner described above.

## **Conclusion**

In conclusion, the Transition approach described in this report is the embodiment of a long-standing and effective two-tier relationship to deliver planning services in Halton. It positions the Halton team well to bring forward solutions to the Provincial facilitator once appointed. In addition, the Transition approach described in this Report could serve as a useful model for other upper-tier municipalities impacted by Bill 23.

Upon receiving Council direction, staff will implement the Transition Plan described in this report. An update on transition activities will be provided in the Fall of 2023.

FINANCIAL/PROGRAM IMPLICATIONS

Activities associated with defining the transition of Regional Planning Services are funded through the approved 2023 operating budget. Overall, the implementation of the Transition Plan is expected to have budget implications. These will be assessed and brought forward to Regional Council in future reports and will be reflected in the 2024 budget.

Respectfully submitted,



Curt Benson  
Director, Planning Services and Chief  
Planning Official



Bob Gray  
Commissioner, Legislative and Planning  
Services and Corporate Counsel

Approved by



Jane MacCaskill  
Chief Administrative Officer

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

Curt Benson

Tel. # 7181

Attachments: Attachment #1 Summary of Approach to Transition Regional Planning Services May 2023

## Attachment #1: Summary of Approach to Transition Regional Planning Services, May 2023

	Description of Halton Regional Planning Role/Responsibility	Status as of Today (May 2023)	Transition Approach and Timing	Description of End State (Proclamation TBD – possibly Q1 2024)
1	<b>Approval Authority for Local Official Plans and Amendments</b>	Region is approval authority for Local Official Plans and Amendments – amendments meeting criteria defined in Regional By-Laws are exempt from Regional approval.	Region will interpret the exemption criteria to ensure the greatest flexibility in support for exempting local Official Plans and Amendments until Proclamation.  Some amendments may still be subject to Regional approval.  If an amendment is adopted but not yet approved upon Proclamation, the Region will approve the amendment as adopted unless otherwise instructed by the local municipality.	Upon Proclamation, Region is no longer approval authority for local Official Plans and Amendments.
2	<b>Right to Appeal to the Ontario Land Tribunal (OLT)</b>	Although rare, the Region has the ability to appeal decisions to the Ontario Land Tribunal.	Region will not exercise its right to appeal, except for extraordinary circumstances, in recognition of its changing role.	Upon proclamation, Region is no longer able to appeal decisions to the OLT
3	<b>Party to an OLT Hearing</b>	Region is currently a party to many active files under litigation at the Ontario Land Tribunal.	Region will actively seek opportunities to limit its involvement as a party at new Ontario Land Tribunal Hearings. Region will discuss how to scope its role in files currently before the OLT with local municipalities.	Upon proclamation, Region no longer able to be a party to a Hearing. While this will apply to new proceedings, it is uncertain whether the Province will apply additional provisions to limit the Region's role in active hearings.

	<b>Description of Halton Regional Planning Role/Responsibility</b>	<b>Status as of Today (May 2023)</b>	<b>Transition Approach and Timing</b>	<b>Description of End State (Proclamation TBD – possibly Q1 2024)</b>
4	<b>Responsibility for Regional Official Plan</b>	Region currently has the responsibility to continue to make decisions and offer advice regarding conformity to the Regional Official Plan.	Region will work with each local municipality to determine its needs in preparing the local municipality to assume the responsibility for the Regional Official Plan.	The Region will provide the necessary support in administering or interpreting the Regional Official Plan 6 months following proclamation or a date that is agreed to by the Region and the municipality.
5	<b>The Region’s current Municipal Comprehensive Review (Regional Official Plan Review)</b>	Region has not completed its current Official Plan Review. Prior to the introduction of Bill 23, the Region was going to proceed with ROPA 50 to address the remaining matters associated with this MCR. These include matters identified in the Policy Directions Report that have not already been addressed through ROPAs 48 & 49. In consultation with Halton’s local municipalities, given the changes associated with Bill 23, ROPA 50 is not proceeding.	Region will not advance ROPA 50 on the basis that the local municipalities have agreed this work can be fulfilled once they have assumed the Regional Official Plan following proclamation.	N/A
6	<b>Region’s participation in Local Official Plans, Amendments, Secondary Plans and related background studies</b>	Region participates in reviewing and providing comments on Official Plans, Amendments and Secondary Plans and related	Region continues to participate in reviewing and providing comments on Official Plans, Amendments and Secondary Plans and	The Region will only participate in reviewing and providing comments on Official Plans, Amendments and Secondary Plans

	<b>Description of Halton Regional Planning Role/Responsibility</b>	<b>Status as of Today (May 2023)</b>	<b>Transition Approach and Timing</b>	<b>Description of End State (Proclamation TBD – possibly Q1 2024)</b>
		background studies. The amendments are circulated to the Region for review and comment following adoption. In general, the Region is the approval authority for Official Plans, Amendments and Secondary Plans.	related background studies.  Region’s review however will be scoped in consultation with the local municipality in recognition of the future changes.  The Region and Local Municipalities will work to further define the Region’s role in initiatives prior to proclamation.	and related background studies as defined in the Transition Plan, with focus on only the following matters: <ul style="list-style-type: none"> <li>- Municipal water and wastewater servicing</li> <li>- Regional Transportation Systems</li> <li>- Waste Collection</li> <li>- Affordable and Assisted Housing</li> <li>- Responsibilities associated with a specific mandate prescribed by legislation (e.g. sourcewater protection, public health),</li> <li>- Other Regional Services that have a land component</li> </ul>
7	<b>Region’s participation in reviewing and commenting on development applications</b>	Region is circulated, reviews and provides comments on development applications in accordance with its interests as defined in the Regional Official Plan.	Region continues to be circulated, review and provide comments on development applications in accordance with its interests as defined in the Regional Official Plan until proclamation.  Circulation criteria will be defined by the Parties to be implemented by	The Region will only participate in reviewing and providing comments on development applications related to the following matters: <ul style="list-style-type: none"> <li>- Municipal water and wastewater servicing</li> <li>- Regional Transportation Systems</li> <li>- Waste Collection</li> </ul>

	Description of Halton Regional Planning Role/Responsibility	Status as of Today (May 2023)	Transition Approach and Timing	Description of End State (Proclamation TBD – possibly Q1 2024)
			proclamation or an earlier date.	<ul style="list-style-type: none"> <li>- Affordable and Assisted Housing</li> <li>- Responsibilities associated with a specific mandate prescribed by legislation (e.g. sourcewater protection, public health),</li> <li>- Other Regional Services that have a land component</li> </ul>
8	<p><b>List of Activities planned or underway to prepare for Proclamation and implementing the Future State</b></p>	<ul style="list-style-type: none"> <li>• Support for transferring Regional Official Plan: <ul style="list-style-type: none"> <li>○ Region to package and deliver background info by <b>June 1, 2023</b></li> <li>○ Region to offer support up to 6 months following Proclamation</li> </ul> </li> <li>• Parties to define criteria for circulating the Region on Planning Act matters by <b>July 30, 2023</b></li> <li>• Parties to define templates or standards for Regional comments and conditions related to development applications by <b>July 30, 2023</b></li> <li>• Implement the Transition Plan through agreements or MOUs as necessary (Date TBD)</li> <li>• Develop terms for openly sharing data and information by <b>July 30, 2023</b></li> <li>• Region to review/update Guidelines, etc. associated with: <ul style="list-style-type: none"> <li>○ Water and wastewater planning</li> <li>○ Regional transportation systems planning</li> </ul> </li> <li>• Parties to explore options for environmental plan review (natural heritage and water resources) that range from leveraging existing skills and expertise of parties to the use of consulting firms. Options to be defined and assessed no later than <b>July 30, 2023</b></li> <li>• Parties to determine the need to update the Archaeological Master Plan by <b>June 30, 2023</b></li> <li>• Region to work with Conservation Authorities to explore arrangements to deliver non-planning act services by <b>Q3 2023</b>.</li> </ul>		



**VIA EMAIL**

June 8, 2023

Legislative & Planning Services  
Department  
Office of the Regional Clerk  
1151 Bronte Road  
Oakville ON L6M 3L1

Kevin Arjoon, City Clerk, City of Burlington  
Meaghen Reid, Town Clerk, Town of Milton  
Vicki Tytaneck, Town Clerk, Town of Oakville  
Valerie Petryniak, Town Clerk, Town of Halton Hills  
Heather Watt, Ministry of Municipal Affairs and Housing  
Honourable Ted Arnott, MPP, Halton Hills  
Honourable Parm Gill, MPP, Milton  
Natalie Pierre, MPP, Burlington  
Stephen Crawford, MPP, Oakville  
Effie Triantafilopoulos, MPP, Oakville North-Burlington

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Please be advised that at its meeting held Wednesday, May 24, 2023, the Council of the Regional Municipality of Halton adopted the following resolution:

**RESOLUTION:       LPS48-23 - Updated Information on Potential Future Housing Units in the Development Pipeline**

1. THAT Regional Council direct staff to continue to work collaboratively with the Halton Municipalities to identify and report on the number of potential future housing units in the development pipeline on an ongoing basis.
2. THAT Regional Council direct staff to report back to Council with details on how the information on housing units in the development pipeline will be used as one of the inputs to support the Joint Best Planning Estimates and the Region's role in planning for and financing infrastructure to support local planning and management of growth.
3. THAT the Regional Clerk forward a copy of Report No. LPS48-23 to the City of Burlington, the Town of Halton Hills, the Town of Milton and the Town of Oakville, the Ministry of Municipal Affairs and Housing, and the Halton Area MPPs for information.

**Regional Municipality of Halton**

HEAD OFFICE: 1151 Bronte Rd, Oakville, ON L6M 3L1  
905-825-6000 | Toll free: 1-866-442-5866

Included please find a copy of Report No. LPS48-23 for your information. If you have any questions please contact me at the e-mail address below.

Sincerely,



Graham Milne  
Regional Clerk  
[graham.milne@halton.ca](mailto:graham.milne@halton.ca)



**The Regional Municipality of Halton**

Report To:	Regional Chair and Members of Regional Council
From:	Bob Gray, Commissioner, Legislative and Planning Services and Corporate Counsel
Date:	May 24, 2023
Report No:	LPS48-23
Re:	Updated Information on Potential Future Housing Units in the Development Pipeline

**RECOMMENDATION**

1. THAT Regional Council direct staff to continue to work collaboratively with the Halton Municipalities to identify and report on the number of potential future housing units in the development pipeline on an ongoing basis.
2. THAT Regional Council direct staff to report back to Council with details on how the information on housing units in the development pipeline will be used as one of the inputs to support the Joint Best Planning Estimates and the Region's role in planning for and financing infrastructure to support local planning and management of growth.
3. THAT the Regional Clerk forward a copy of Report No. LPS48-23 to the City of Burlington, the Town of Halton Hills, the Town of Milton and the Town of Oakville, the Ministry of Municipal Affairs and Housing, and the Halton Area MPPs for information.

**REPORT**

**Executive Summary**

- A Council Workshop was held on March 8, 2023 that provided information on the Region's approach to planning and financing infrastructure to support growth. As part of the Workshop, Regional staff presented initial information on the potential supply of housing units associated with development applications under review across Halton Region, referred to as housing units in the "development pipeline".
- This report includes updated information on housing units in the development pipeline based on direct input from local municipal planning staff. In total, there are 75,355 potential future housing units identified in the development pipeline across Halton.

- The report also provides additional information in response to requests made by Regional Council during the Workshop and recommends that Regional staff continue to provide updated information related to the development pipeline.

## **Background**

On March 8, 2023, a Council Workshop was held to provide information on the Region’s approach to planning and financing infrastructure to support growth. As part of the Workshop, Regional staff presented initial information on the potential supply of housing units associated with development applications under review across Halton Region.

It was noted at the Workshop that the information presented on potential future housing units – or, housing units in the “development pipeline” – was preliminary and subject to verification and update through discussions with local municipal planning staff. This report provides updated information on housing units in the development pipeline based on direct input from local municipal planning staff.

The report also provides information in response to requests made by Regional Council at the Workshop related to: the location of housing units in the development pipeline, the relationship of housing units in the development pipeline to infrastructure capacity, and the relationship between building permits, housing starts, and housing completions.

## **Discussion**

### **A. Updated “Development Pipeline” Information**

Information on potential future housing units was presented to Regional Council in March 2023 as part of a Council Workshop as well as through Report No. LPS14-23 / PW-13-23 / FN-20-23 re: “Allocation Programs Update”. At that time, based on information from the Region’s Development Application Tracking System (DATS), Regional staff identified about 50,000 housing units in the development pipeline.

Following the Council Workshop, Regional staff sent a template to the Halton Area Development Managers and requested that it be completed with the latest information on housing units associated with active development applications within their respective municipalities. The purpose of this request was to validate, and where necessary update, the Region’s information on potential future housing units.

The template sent to the local municipalities requested information on active development applications made under the Planning Act, including: the type of application (e.g., official plan amendment, zoning by-law amendment, plan of subdivision, site plan application, etc.), the location of the lands subject to the application, the number of housing units by type (single/semi, rows, apartments), and the status of the application as described in the table below:

Category	Description
<b>Under Review</b>	housing units associated with development applications that have been filed, deemed complete, and currently under review by municipal planning staff
<b>Under Appeal</b>	housing units associated with development applications that have been appealed to the Ontario Land Tribunal (OLT)
<b>Draft Approved</b>	housing units associated with development applications that have been draft approved (subject to conditions)

The information received from local municipal planning staff is summarized in the table below. In a few instances, Regional staff made minor adjustments to the information, such as the removal of duplicate entries. In total, based on local input, there are 75,355 potential future housing units in the development pipeline as of April 9, 2023.

***Housing Units in the Development Pipeline, By Status & Municipality***

Category	Burlington	Halton Hills	Milton	Oakville	Total
<b>Under Review</b>	11,893	1,550	9,451	21,872	<b>44,766</b>
<b>Under Appeal</b>	7,269	6,680	0	8,229	<b>22,178</b>
<b>Draft Approved</b>	3,278	191	2,857	2,085	<b>8,411</b>
<b>Total</b>	<b>22,440</b>	<b>8,421</b>	<b>12,308</b>	<b>32,186</b>	<b>75,355</b>

*Source: Halton Area Development Managers (HADM) Input | Current as of April 9, 2023)*

The majority – about 44,766 housing units – are associated with development applications that are currently under review and for which a decision has not yet been made by a Local Council. There are about 22,178 housing units that are currently under appeal to the Ontario Land Tribunal. There are 8,411 housing units that are associated with planning applications that have been approved or approved subject to conditions. These housing units are the closest to being realized, as they have planning permissions in place or in place subject to conditions being fulfilled.

As shown in the table below, the majority of these housing units are in the form of apartments (56,867 units), with the remaining being rows/townhouses (9,400 units) and single/semi-detached (7,793 units). There are also 1,295 housing units in the form of long-term care homes, independent living units, and retirement homes.

### ***Housing Units in the Development Pipeline, By Unit Type & Municipality***

<b>Category</b>	<b>Single/Semi</b>	<b>Row/ Townhouse</b>	<b>Apartments</b>	<b>Institutional</b>	<b>Total</b>
<b>Burlington</b>	1,485	1,147	18,608	1,200	<b>22,440</b>
<b>Halton Hills</b>	3,098	3,013	2,287	23	<b>8,421</b>
<b>Milton</b>	1,654	1,822	8,828	4	<b>12,308</b>
<b>Oakville</b>	1,556	3,418	27,144	68	<b>32,186</b>
<b>Total</b>	<b>7,793</b>	<b>9,400</b>	<b>56,867</b>	<b>1,295</b>	<b>75,355</b>

*Source: Halton Area Development Managers (HADM) Input | Current as of April 9, 2023)*

In addition to the housing units in the “development pipeline” as summarized above, in some instances local municipal planning staff also provided information on housing units identified through pre-consultations on potential development applications. In total, at least 5,000 housing units were identified as part of pre-consultations. While it is not known if or when formal applications for these housing units will be filed, the pre-consultation information provides a general sense of the potential housing units that may be under review by municipalities in the short-term.

The information above is based on the input provided by local municipal planning staff and represents development applications identified by the local municipalities as active and under review at the time the information was prepared. As it is point-in-time information as of April 9, 2023, it is subject to change.

#### **B. Location of “Development Pipeline” Housing Units**

The map provided as Attachment #1 to this report shows the location of parcels of land that have development applications identified as part of the development pipeline. The map shows the location of all lands that are identified in the development pipeline.

The maps provided as Attachment #2 and Attachment #3 to this report show the concentrations of the 75,355 housing units in the development pipeline. Attachment #2 shows the location and number of housing units in the development pipeline by development application, while Attachment #3 shows the general concentrations of all housing units in the development pipeline.

Both maps show that a significant amount of the housing units in the development pipeline are located in Strategic Growth Areas such as Urban Growth Centres, Major Transit Station Areas, and other growth nodes (shown in orange outline on the maps). In addition, significant concentrations of potential future housing units are seen in the developing Designated Greenfield Areas in Oakville, Milton, and Halton Hills.

### C. Infrastructure Plans & “Development Pipeline” Housing Units

In August 2022, Halton Region initiated a process to develop an Integrated Master Plan that will provide the strategies, policies and tools required to meet future water, wastewater and transportation infrastructure needs in Halton to 2051.

The Region’s current infrastructure master plans support growth to 2031 and are based on the Region’s Best Planning Estimates from 2011. In the time since, plans for the amount and location of growth to 2031 have evolved. The existing and planned infrastructure identified in the 2011 Master Plans will continue to support a significant amount of growth across Halton Region. At the same time, there may be specific areas identified through planning processes or where there are a significantly higher number of housing units in the development pipeline than were previously anticipated, that will require further review.

As highlighted at the March 8, 2023 Council Workshop, the Halton Municipalities have agreed to proceed with developing Joint Best Planning Estimates (JBPEs) that will:

- result in a unified data source for growth projections across Halton to 2051, continuing the coordination of land use, infrastructure, and financial planning as planning responsibilities are transitioned in a post-Bill 23 environment; and,
- provide the basis for reviewing opportunities and constraints related to supporting growth in Halton Region to 2031, and updating infrastructure master plans to 2051.

As part of the Joint Best Planning Estimates work, Regional staff are working to identify areas where growth expectations to 2031 have increased, to assess implications for infrastructure capacity, and to identify strategic areas where infrastructure is required and can be advanced to support growth expectations, similar to the project identified in Report No. LPS14-23 / PW-13-23 / FN-20-23 re: “Allocation Programs Update”.

In addition, Regional staff are identifying adjustments to the Integrated Master Plan scope and purpose to align with modifications to growth planning as a result of changes to the planning framework, as outlined in Report No. LPS34-23 re: “Regional Planning in a Post-Bill 23 Environment”. This will allow for an updating of both capital and resource requirements to deliver infrastructure to meet growth priorities in the short and long term.

Regional staff recommend continuing to update Regional Council on the Joint Best Planning Estimates and the Integrated Master Plan projects, including how these projects are considering and accounting for housing units identified in the development pipeline, impacts to the annual Budget and Business Plan, and how these projects can continue to enable a coordinated, integrated and comprehensive approach to planning for infrastructure that supports the planning and growth management work undertaken by the Halton Municipalities.

#### D. Information on Annual Housing Completions & Housing Starts

At the March 2023 Workshop, Regional staff presented information on the number of housing completions observed across the Region and in each Local Municipality between 2013 and 2022. The purpose of this information was to provide an understanding of recent trends in the number of housing units completed each year, and how this compares to what would be required to achieve the new municipal housing targets identified by the Province. For example, between 2013 and 2022, Halton Region saw an average of 3,400 housing completions per year. For Halton Region as a whole to achieve the municipal housing target to 2031 as set by the Province, an average of at least 8,900 completions per year would be required.

At the Workshop, Regional Council inquired about the source of this information and how it related to other figures being reported related to the supply of housing units, in particular, local municipal information on the number of building permits issued.

The source of data on housing completions is the Canada Mortgage and Housing Corporation (CMHC). CMHC provides information on housing starts (a “start” being defined as the beginning of construction work on a building), housing completions (a “completion” being the stage at which all proposed construction work has been performed), and the number of housing units under construction at a given time.

The figures reported by CMHC may differ from local municipal figures on the number of building permits issued each year. This is because there are a number of factors which influence when construction is started and completed in relation to when a municipal building permit is issued. For example, a building permit issued by a municipality in late-2023 for an apartment building could be identified as a housing start in early-2024, and as housing completions (for each of the units) in 2026, depending on the complexity of the construction and size of the project.

Regional staff will continue to provide Regional Council with information as reported by CMHC and will work to ensure this information on housing starts and completions can be integrated with and compared to municipal information on housing in the development pipeline.

#### E. Future Reporting & Detailed “Development Pipeline” Metrics

Regional Council requested information about the relationship between the number of housing units approved by municipalities, the number of housing units constructed, and the timelines between approvals, construction, and occupancy.

Regional staff are currently working to integrate local municipal building permit data with the Region’s Development Application Tracking System in order to provide detailed metrics on the timelines between municipal approvals and building activity and will report back to Regional Council once this information is available.

There are many factors that can influence if and when housing units identified in the development pipeline are constructed and occupied. Not all housing units identified in the pipeline will advance to approval – for example, the units may not ultimately be advanced by a proponent, or may not be approved by a municipal council or the Ontario Land Tribunal. When municipal approvals are in place, there can be a wide gap in the time between this approval and when housing units are ultimately constructed or occupied. There are many reasons for this, which could include things such as the complexity of the project, project financing and feasibility, supply chain issues, labour constraints, and other market forces.

More robust data will provide a better understanding of the timeframes between municipal approvals and the construction and occupancy of housing units. This will be an important aspect of the development pipeline to monitor in relation to the 2031 housing targets – while current information identifies about 75,355 housing units in the development pipeline, this is a gauge of potential supply, and it is not certain that all these units will be approved, and if approved, constructed by 2031.

## **Next Steps**

This report has provided updated information on the potential supply of future housing units in Halton Region, or, housing units in the development pipeline, based on direct local municipal input. The number of housing units in the development pipeline will continue to evolve on an ongoing basis, and efforts are underway to increase the accuracy, reliability, and specificity of the development pipeline data.

Regional staff recommend continuing to keep Regional Council up to date on the supply of housing across Halton as well as the Region's work to ensure infrastructure is available to support future growth identified by the Halton Municipalities.

FINANCIAL/PROGRAM IMPLICATIONS

Costs associated with monitoring housing units in the development pipeline are included in the Legislative and Planning Services annual operating budget.

Respectfully submitted,



Curt Benson  
Director, Planning Services and Chief  
Planning Official



Bob Gray  
Commissioner, Legislative and Planning  
Services and Corporate Counsel

Approved by



Jane MacCaskill  
Chief Administrative Officer

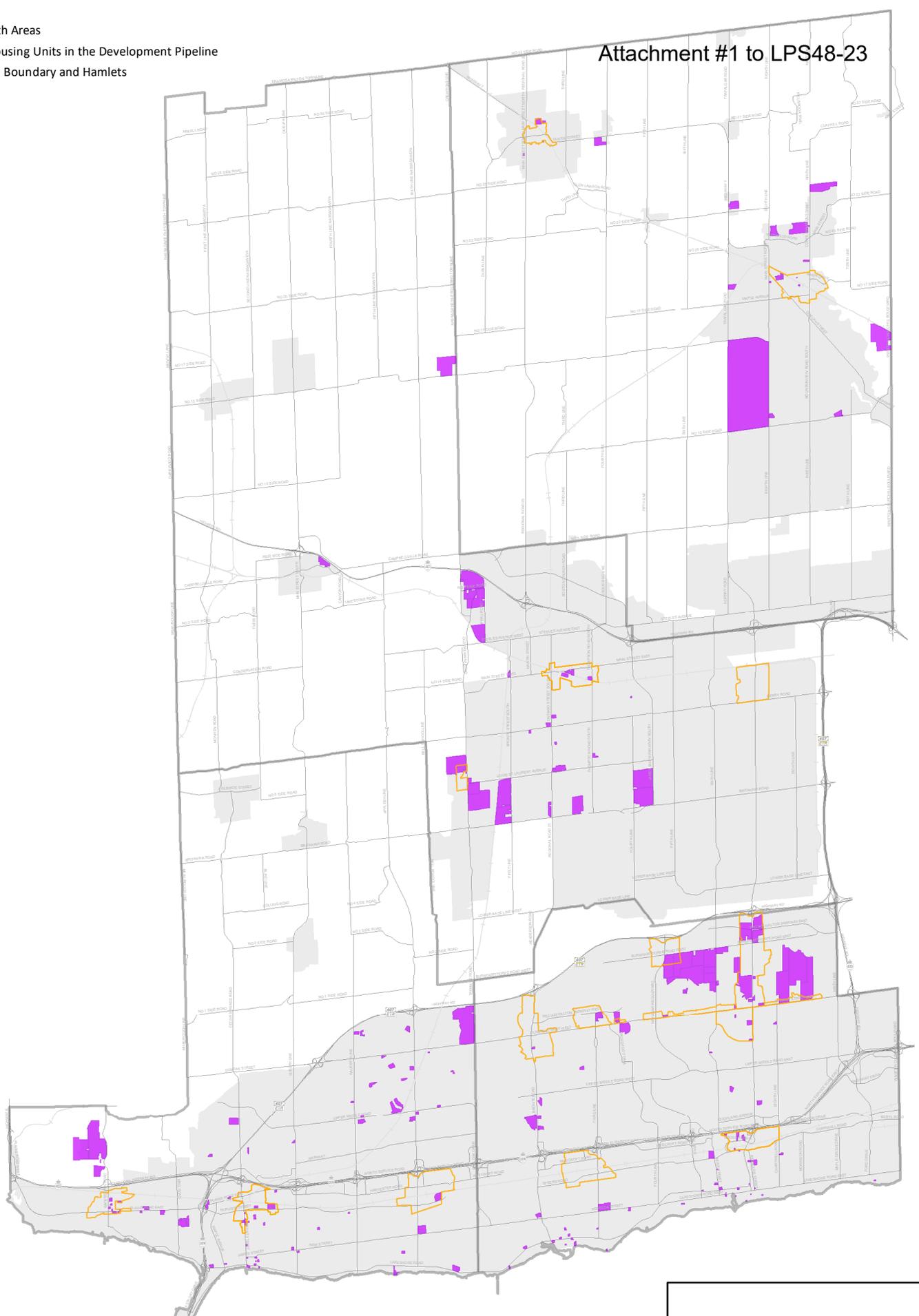
If you have any questions on the content of this report,  
please contact:

Curt Benson

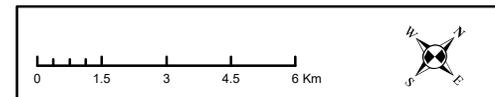
Tel. # 7181

Attachments: Attachment #1 – Location of Parcels with Housing Units in the Development Pipeline  
Attachment #2 – Location and Number of Housing Units in the Development Pipeline  
Attachment #3 – General Concentrations of Housing Units in the Development Pipeline

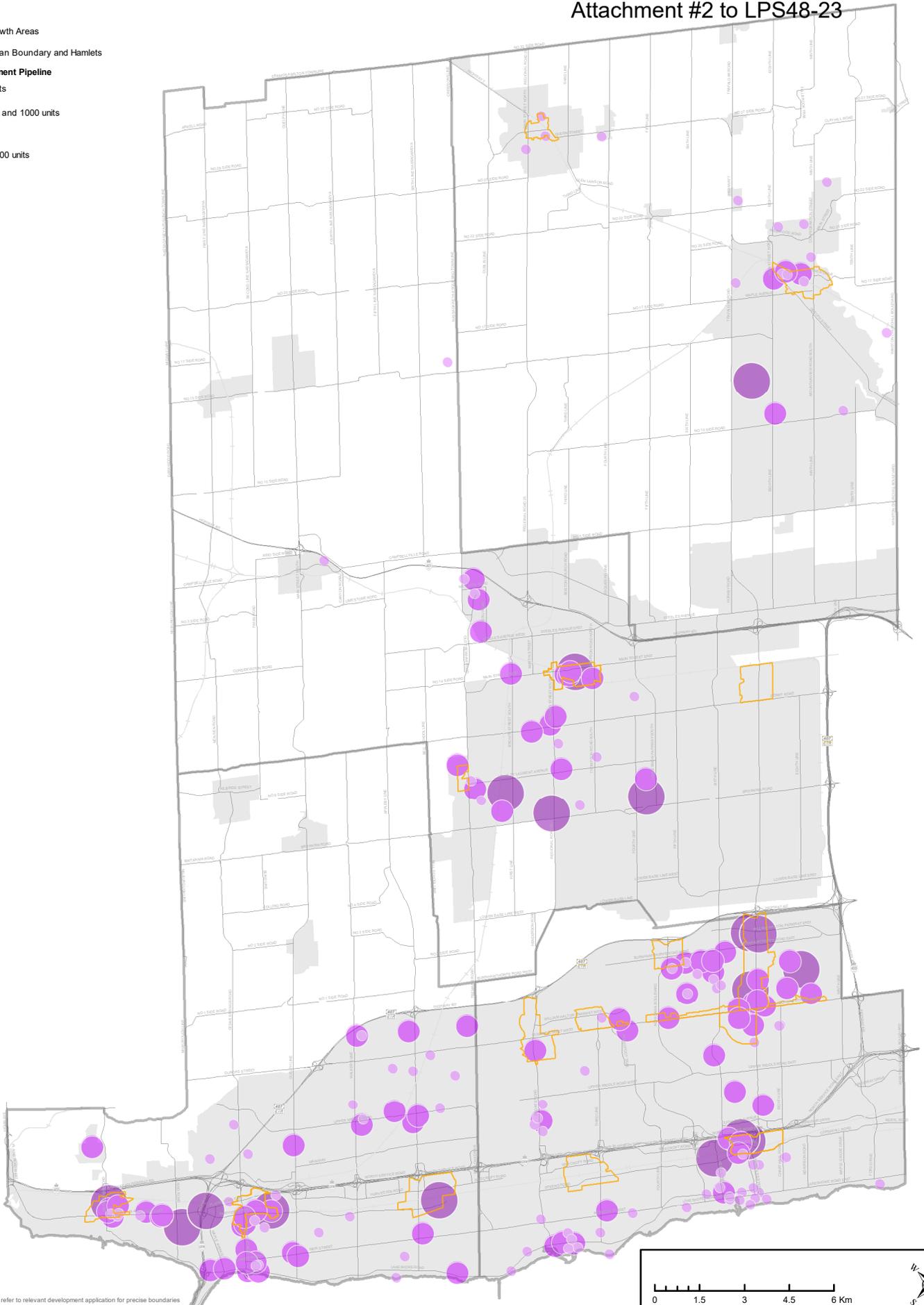
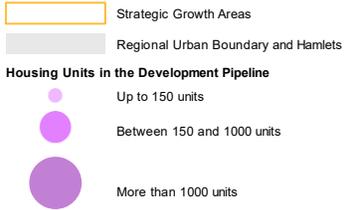
- Strategic Growth Areas
- Parcels with Housing Units in the Development Pipeline
- Regional Urban Boundary and Hamlets



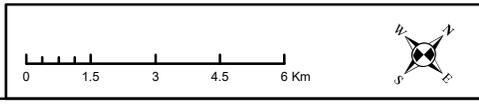
Parcels identified for general reference only – please refer to relevant development application for precise boundaries  
 Based on direct input from Local Municipalities and current as of April 9, 2023

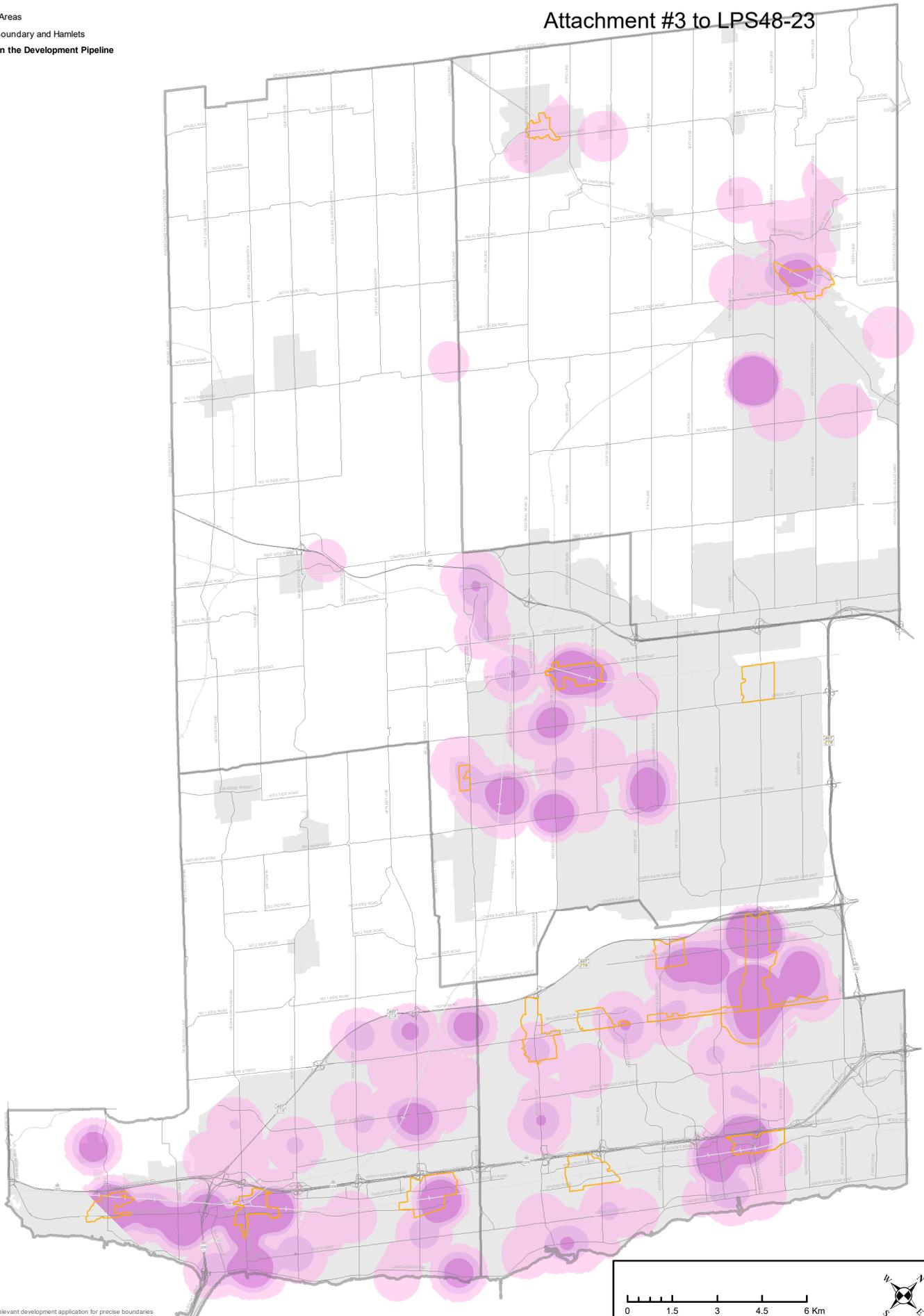


## Location of Parcels with Housing Units Identified in the Development Pipeline

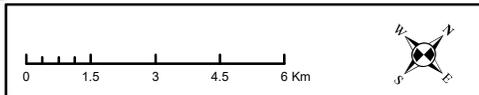


Parcels identified for general reference only – please refer to relevant development application for precise boundaries  
 Based on direct input from Local Municipalities and current as of April 9, 2023





Parcels identified for general reference only – please refer to relevant development application for precise boundaries  
 Based on direct input from Local Municipalities and current as of April 9, 2023



# General Concentrations of Housing Units in the Development Pipeline



June 12, 2023

Region of Halton  
City of Burlington  
Town of Milton  
Town of Halton Hills

[graham.milne@halton.ca](mailto:graham.milne@halton.ca)  
[clerks@burlington.ca](mailto:clerks@burlington.ca)  
[townclerk@milton.ca](mailto:townclerk@milton.ca)  
[valeriep@haltonhills.ca](mailto:valeriep@haltonhills.ca)

**Subject: Halton Digital Access Strategy – Halton Digital Access Services Corporation Final Approval**

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At its meeting on May 29, 2023, Oakville Town Council approved the following resolution with respect to the subject item noted above:

1. *That Council takes the following actions regarding the creation and operation of Halton Digital Access Services Corporation (“HDASC”) as described in this report entitled Halton Digital Access Strategy – Halton Digital Access Services Corporation Final Approval, May 16, 2023*
  - a. *Adopt the business case and receive the results of public consultation as described in this report; endorse the creation of a Municipal Services Corporation (“MSC”) to be known as “Halton Digital Access Services Corporation” to operate the businesses as described in this report; and approve the subscription of shares of HDASC by the Town;*
  - b. *As required by subsection 7(1) of Ontario Regulation 599/06: Municipal Services Corporations as a condition of creating a MSC, adopt the Asset Transfer Policy as described in this report (and included as attachment 1);*
  - c. *Authorize the CAO (or designate) to act as an incorporator of HDASC and the Town’s representative on the HDASC Board of Directors;*
  - d. *Approve the Town entering into the following agreements described in this report:*
    - i. *Unanimous Shareholders Agreement;*
    - ii. *HDASC Municipal Pole License Agreement; and*
    - iii. *Any related ancillary agreements the CAO deems are reasonably required for the creation or operation of HDASC, all in content satisfactory to the CAO, and in form satisfactory to the Director of Legal Services.*
  - e. *Approve the Town, as a shareholder of HDASC, to authorize HDASC to enter into:*
    - i. *Unanimous Shareholders Agreement;*
    - ii. *HDASC Municipal Pole License Agreements;*
    - iii. *Loan Agreement and related ancillary documents; and*
    - iv. *Related ancillary agreements the CAO deems are reasonably required for the creation or operation of HDASC, all in content satisfactory to the CAO, and in form satisfactory to the Town Solicitor.*

**Subject: Halton Digital Access Strategy – Halton Digital Access Services Corporation  
Final Approval**

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- f. Delegate to the CAO (or designate) the authority to execute the agreements described above, in her capacity as a director of HDASC, or as authorized signatory for the Town as a shareholder of HDASC, as the case may be, and sign such other documents, agreements or forms and to do such other things as are reasonably required for the creation and operation of HDASC.*
2. *That this report be sent to Halton Region, City of Burlington, Town of Milton and the Town of Halton Hills.*

The staff report can be viewed here:

<https://pub-oakville.escribemeetings.com/Meeting.aspx?Id=4e450cce-468a-44c5-b666-cae51adfbe4e&Agenda=Agenda&lang=English>

Should you have any questions regarding this matter or should you require additional information, please contact Vicki Tytaneck, Town Clerk at 905-845-6601, extension 2003, or email [vicki.tytaneck@oakville.ca](mailto:vicki.tytaneck@oakville.ca)

Sincerely,

*Vicki Tytaneck*

Vicki Tytaneck  
Town Clerk



**Corporation of the  
Municipality of West Grey**

402813 Grey Road 4, RR 2 Durham, ON N0G 1R0  
519 369 2200

June 9, 2023

**RE: Highway Traffic Act Amendments**

To whom it may concern,

Please be advised that at its meeting held on June 6, 2023, the council of the Municipality of West Grey considered the above-noted matter and passed Resolution No. R-230606-007 as follows:

**"THAT in consideration of correspondence received from the City of Cambridge respecting Highway Traffic Act Amendments, council supports the resolution and directs staff to forward a copy of the resolution to the Ontario Minister of Transportation, the Ontario Minister of Municipal Affairs and Housing, local area MPP Rick Byers, the Association of Municipalities of Ontario, and all Ontario municipalities."**

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Jamie Eckenswiller, AMP (he/him)  
Director of Legislative Services/Clerk  
Municipality of West Grey

Attachment: City of Cambridge – Highway Traffic Act Amendments Resolution

Cc. Caroline Mulroney, Ontario Minister of Transportation  
Steve Clarke, Ontario Minister of Municipal Affairs and Housing  
Rick Byers, MPP Grey-Bruce -Owen Sound  
Association of Municipalities of Ontario (AMO)  
All Ontario Municipalities

**The Corporation of the City of Cambridge  
Corporate Services Department  
Clerk's Division  
The City of Cambridge  
50 Dickson Street, P.O. Box 669  
Cambridge ON N1R 5W8  
Tel: (519) 740-4680 ext. 4585  
[mantond@cambridge.ca](mailto:mantond@cambridge.ca)**

May 10, 2023

**Re: Highway Traffic Act Amendments**

Dear Ms. Mulronev,

At the Council Meeting of May 9, 2023, the Council of the Corporation of the City of Cambridge passed the following Motion:

**WHEREAS** speeding on our roads is a major concern in our community,

**AND WHEREAS** speeding can occur in all areas of our community,

**AND WHEREAS** barriers and delays to enforcement pose a danger to our community,

**AND WHEREAS** our municipality has limited resources to implement speed mitigation road design and re-design,

**AND WHEREAS** our local police service has limited resources to undertake speed enforcement,

**AND WHEREAS** s.205.1 of the Highway Traffic Act (HTA) provides that Automated Speed Enforcement systems (ASE) may only be placed in designated community safety zones and school safety zones,

**THEREFORE BE IT RESOLVED THAT**, the City of Cambridge request that the Ontario Government amend s.205.1 of the HTA to permit municipalities to locate an ASE system permanently or temporarily on any roadway under the jurisdiction of municipalities and as determined by municipalities and not be restricted to only community safety zones and school safety zones;

**AND THAT** a copy of this resolution be forwarded to the Ontario Minister of Transportation, the Ontario Minister of Municipal Affairs and Housing, local area MPPs, the Association of Municipalities of Ontario (AMO) and all Ontario Municipalities.

Should you have any questions related to the approved resolution, please contact me.

Yours Truly,



Danielle Manton  
City Clerk

Cc: (via email)  
Steve Clark, Ontario Minister of Municipal Affairs and Housing  
Local Area MPPs  
Association of Municipalities of Ontario (AMO)  
All Ontario Municipalities



**Corporation of the  
Municipality of West Grey**

402813 Grey Road 4, RR 2 Durham, ON N0G 1R0  
519 369 2200

June 9, 2023

**RE: Bell-Hydro Infrastructure**

To whom it may concern,

Please be advised that at its meeting held on June 6, 2023, the council of the Municipality of West Grey considered the above-noted matter and passed Resolution No. R-230606-008 as follows:

**"THAT in consideration of correspondence received from the Municipality of Tweed respecting a resolution on Bell-Hydro Infrastructure, council supports the resolution and directs staff to forward a copy of the resolution to the Premier of Ontario, the Association of Municipalities of Ontario, MPP Rick Byers, and all Ontario municipalities."**

Council further supports that other providers in addition to Bell Canada and Hydro one work together to provide access for poles to better service the infrastructure needs of Ontarians.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Jamie Eckenswiller, AMP (he/him)  
Director of Legislative Services/Clerk  
Municipality of West Grey

Attachment: Municipality of Tweed – Proposed Resolution Re: Bell-Hydro Infrastructure

Cc. Honourable Doug Ford, Premier of Ontario  
Association of Municipalities of Ontario (AMO)  
Rick Byers, MPP Grey-Bruce -Owen Sound  
All Ontario Municipalities

Municipality of Tweed Council Meeting  
Council Meeting



Resolution No. 328.  
Title: Proposed Resolution Re: Bell-Hydro Infrastructure  
Date: Tuesday, May 9, 2023

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Moved by J. Palmateer  
Seconded by J. DeMarsh

WHEREAS poles are essential for deployment of telecommunication and hydro networks across the Province of Ontario;  
AND WHEREAS the coordination of pole infrastructure between stakeholders is necessary to limit duplication of servicing infrastructure;  
AND WHEREAS the Canadian Radio-Television and Telecommunications Commission recently set expediated timelines for large telephone companies to provide competitors with access to poles to roll out networks more efficiently leading to more competition across Canada;  
AND WHEREAS provincial and territorial government are being encouraged to coordinate with service providers and other stakeholders to facilitate sound network deployment;  
NOW THEREFORE BE IT RESOLVED that the Municipality of Tweed calls on the Province of Ontario to facilitate, coordinate, and regulate pole deployment measures across the Province of Ontario to prevent unnecessary duplication of pole infrastructure;  
AND FURTHER, that the Province of Ontario encourage Bell Canada and Hydro One to work together to provide access for poles to better service the infrastructure needs of Ontarians;  
AND FURTHER, that this motion be circulated to the Premier of Ontario, the Association of Municipalities of Ontario (AMO), MPP Ric Bresee, all Ontario Municipalities for support, Bell Canada, Hydro One.

**Carried**



June 26, 2023

The Honourable Doug Ford  
Premier of Ontario  
Legislative Building, Queen's Park  
Toronto, ON M7A 1A1  
Via Email: [premier@ontario.ca](mailto:premier@ontario.ca)

**RE: Vacant Building Official Positions**

Plensed be advised that the Council of the Municipality of North Perth passed the following resolution at their regular meeting held June 5, 2023 regarding vacant building official positions:

**Moved by** Councillor Rothwell **Seconded by** Councillor Duncan

**WHEREAS** building officials in Ontario examine building plans and inspect building construction to ensure compliance with the Ontario Building Code to ensure public safety;

**AND WHEREAS** in October 2022, Premier Doug Ford and the Ontario government announced their intent to build 1.5 million homes in the next ten years in an effort to generate enough supply to meet a high demand for now and in the future;

**AND WHEREAS** according to the Ontario Building Officials Association over 50 per cent of existing building officials are eligible to retire;

**AND WHEREAS** according to the Ontario Building Officials Association building officials are in high demand;

**AND WHEREAS** many municipalities across Ontario have job postings for building officials that remain unfilled;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the Municipality of North Perth urges the Provincial Government to provide support to municipalities to fill vacant building official positions;

**AND FURTHER THAT** this resolution be circulated to Premier Doug Ford, Steve Clark, Minister of Municipal Affairs and Housing, Provincial opposition parties, Matthew Rea MPP, all municipalities in Ontario and AMO.

**CARRIED**

If you have any questions regarding the above resolution, please do not hesitate to contact me at [lcline@northperth.ca](mailto:lcline@northperth.ca).

Sincerely,



Lindsay Cline,  
Clerk/Legislative Services Supervisor  
Municipality of North Perth

cc.

Hon. Steve Clark, Minister of Municipal Affairs and Housing  
Provincial Opposition Parties  
Perth-Wellington MPP Matthew Rea  
Association of Municipalities of Ontario (AMO)  
All Ontario Municipalities



June 26, 2023

The Honourable Doug Ford  
Premier of Ontario  
Legislative Building, Queen's Park  
Toronto, ON M7A 1A1  
Via Email: [premier@ontario.ca](mailto:premier@ontario.ca)

**RE: Proposed New Provincial Policy Statement (PPS)**

Plensed be advised that the Council of the Municipality of North Perth passed the following resolution at their regular meeting held June 5, 2023 regarding the proposed new Provincial Policy Statement (PPS):

**Moved by** Councillor Rothwell **Seconded by** Councillor Blazek

**THAT:** The Council of the Municipality of North Perth supports consent agenda items 3.3 *Perth County Report – Perth County Comments on Proposed Provincial Policy Statement ERO Number 019-6813*, 3.4 *Perth County Report – Bill 97 (Helping Homebuyers, Protecting Tenants Act, 2023 and Draft Provincial Planning Statement April 6, 2023)*, and 3.17 *United Counties of Stormont, Dundas & Glengarry Resolution re: Proposed Changes to the PPS*;

**AND THAT:** A copy of this resolution be sent to all 444 municipalities, The Hon. Doug Ford – Premier of Ontario, The Hon. Steve Clark – Minister of Municipal Affairs and Housing, The Hon. Lisa Thompson – Minister of Agriculture, Food and Rural Affairs, The Hon. David Piccini – Minister of Environment, Conservation and Parks, Perth-Wellington MPP – Matthew Rae, the Association of Municipalities of Ontario and the Rural Ontario Municipal Association.

**CARRIED**

Attached please find a copy of Perth County Reports – Comments on Proposed Provincial Policy Statement ERO Number 019-6813 and Bill 97 (Helping Homebuyers, Protecting Tenants Act, 2023) and Draft Provincial Planning Statement, April 6, 2023, and United Counties of Stormont, Dundas & Glengarry Resolution, dated May 15, 2023.

If you have any questions regarding the above resolution, please do not hesitate to contact me at [lcline@northperth.ca](mailto:lcline@northperth.ca).

Sincerely,

A handwritten signature in black ink that reads "Lindsay Cline". The signature is written in a cursive, flowing style.

Lindsay Cline,  
Clerk/Legislative Services Supervisor  
Municipality of North Perth

cc.

Hon. Steve Clark, Minister of Municipal Affairs and Housing  
Hon. Lisa M. Thompson, Minister of Agriculture, Food and Rural Affairs  
Hon. David Piccini, Minister of the Environment, Conservation and  
Parks Perth-Wellington MPP Matthew Rea  
Association of Municipalities of Ontario (AMO)  
Rural Ontario Municipal Association (ROMA)  
All Ontario Municipalities

**To:** Warden Ehgoetz and Members of Council  
**Meeting Date:** June 1, 2023  
**Prepared By:**  
**Subject:** Perth County Comments on Proposed Provincial Policy Statement ERO Number 019-6813

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**Recommended Action:**

THAT Council receives the “Perth County Comments on Proposed Provincial Policy Statement ERO Number 019-6813” report; and

THAT Council direct staff to submit the attached letter to ERO posting number 019-6813 prior to end of day June 5, 2023.

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**Background Information:**

As per Council's resolution on May 18, 2023 staff are providing a draft letter for their review at the June 1, 2023 Council meeting regarding changes proposed by the province to planning policy. It is proposed that the attached letter be submitted to ERO posting number 019-6813 by planning staff prior to end of day June 5th, 2023.

**Connection to Strategic Plan:**

Goal 1 – Growth & Economic Development  
Goal 2 – Regionalization & Service Effectiveness  
Goal 3 – Customer Service Excellence  
Goal 4 – Community Development & Planning

**Attachments:**

[draft PPS comments 2023](#)

**Reviewed By:**

Lori Wolfe, CAO

**To:** Warden Ehgoetz and Members of Council  
**Meeting Date:** May 18, 2023  
**Prepared By:** Sally McMullen, Manager of Planning Services  
**Subject:** Bill 97 (Helping Homebuyers, Protecting Tenants Act, 2023) and Draft Provincial Planning Statement, April 6, 2023.

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**Recommended Action:**

THAT Council receives the “Bill 97 (Helping Homebuyers, Protecting Tenants Act, 2023) and Draft Provincial Planning Statement, April 6, 2023.” report; and  
THAT Council direct staff to submit comments to the Ministry of Municipal Affairs and Housing on the Proposed changes to the Provincial Planning Statement, 2023 as outlined in the Comments Section of this report; and  
THAT the report be circulated to the Lower Tier Municipalities within Perth County for information.

---

**Executive Summary:**

Proposed Changes to the Planning Act through Bill 97 and to the Provincial Policy Statement represent a significant change in policy-led land use planning for the Province of Ontario. This report summarizes the Bill 97 and the Provincial Planning Statement changes that are most relevant to Perth County. The report recommends comments for Perth County Council to submit to the ERO posting which closes on June 6, 2023.

Staff have participated in the development of comments being submitted by the Western Ontario Warden’s Caucus and the County Planning Directors Group.

**Background Information:**

On Thursday April 6, 2023, the Ontario Government introduced Bill 97 including changes to the Planning Act, revoked the Provincial Policy Statement (PPS, 2020) and introduced the Proposed Provincial Planning Statement (PPPS) which is a singular document to replace the former PPS and the Growth Plan for the Greater Golden Horseshoe (2019). These changes are part of an ongoing set of revisions to implement the Ontario Government’s “More Homes, More Choice Housing Supply Action Plan”.

The PPS can be viewed at the ERO posting (#019-6813) at the following link:  
<https://ero.ontario.ca/notice/019-6813>

The posting remains open until June 6, 2023 for comment, which is a 60-day commenting period. Indications are that the Province is looking to implement a final version of the PPS in the fall of 2023.

Planning authorities will not be required to update their OPs immediately. The 'Approach to Implementation' states that the new policies will be implemented at the time of the next Official Plan (OP) review, and through any planning decisions made following the in-effect date (which is still to be determined). Bill 97 may come into effect sooner.

### Bill 97

The Bill proposes amendments to 7 different Provincial Acts including the Building Code Act, Development Charges Act, Municipal Act and Planning Act which are most notable from a municipal government perspective. The Planning Act changes are summarized as follows:

1. Area of Employment: Re-defining employment areas to specifically exclude commercial and institutional uses in favour of strictly including manufacturing, warehousing and uses related to the movement of goods as well as any accessory or related uses. Requiring that if a municipality wishes to protect uses currently located in Employment Areas that do not fit the new definition it will need to amend its OP to specifically allow the use to continue.
2. Transitional Matters: Bill 97 gives the Minister authority to make regulations about when new policy – presumably the PPS would have an effect on planning applications in progress. Traditionally such a date is known well in advance and the intake of applications tends to slow prior to the effective date and the transition to new rules takes place with relatively few active files. Applications that are unfolding at the time the effective date is known will need to be re-evaluated to some degree.
3. Refunding application fees for zoning bylaw amendments and site plan control applications is further amended in the Planning Act (from Bill 109 in 2022). The refunding will now apply to applications received after July 1, 2023. There is also a proposal to exempt certain municipalities from this requirement but it is unclear which municipalities will be prescribed.
4. Orders by the Minister under Section 47 of the Planning Act (MZO) will be given expanded power to disregard policy statements. In addition, powers

will include the ability to impose agreements on developers and municipalities when a Provincial Land Development Facilitator (a new role that came into being in 2020) is engaged in the process. An MZO cannot be appealed. The Facilitator helps resolve planning and development issues either as an impartial mediator or negotiator on behalf of the Province.

5. Additional Residential Units – references to a “parcel of urban residential land” have been replaced by a “parcel of land” so as to permit a second residential unit (for a total of 3 units per lot – primary and two accessory units) on parcels in and out of urban or serviced areas. In other words, a third unit would be permitted on lots that permit residential uses in villages, hamlets and on farms.
6. Site Plan Control would be reinstated for developments of 10 residential units or less that are within 120m of a shoreline or 300m of a rail line. Site Plan Control Bylaws need to be updated for each lower tier to reflect changes made by Bill 23 and Bill 97.
7. Clarification is provided by the Bill regarding parking spaces for additional residential units, more specifically that municipalities could not require more than one parking space per unit as introduced in Bill 23. It is now clear that the restriction on municipalities does not apply to the primary dwelling, only the additional residential units.

### Proposed Provincial Planning Statement

The PPS was last updated in 2020 following intensive consultation and in 2014 prior to that. While many areas of the PPS are proposed to remain, there is a considerable amount of change. Not all sections of the new policy directions have been released yet for comment as the Natural Heritage Policies are still under review. The policies as they are proposed to date are summarized here:

1. Lot Creation in the Agricultural Area – Residential lot creation has traditionally been discouraged or prohibited except for surplus farm dwelling severances. It is now proposed to be expanded in a significant way. The new PPS would allow up to three residential lots to be created by Section 4.3.3 from farm lots existing on January 1, 2023 provided that:
  - a. Agriculture is the principal use of the existing lot
  - b. The residential uses are compatible with and not hinder surrounding agricultural operations
  - c. The new lots are:
    - i. Not in specialty crop areas - there aren't currently any specialty crop areas in Perth County.

- ii. Comply with Minimum Separation Distances – this offers protection for existing livestock operations and additional residences will introduce new restrictions for locating new livestock operations.
- iii. Are limited to the minimum size needed to accommodate the use including water and septic – by putting additional private wells and septic systems in proximity to each other the minimum lot size will need to be larger as determined by the site specific soil and groundwater circumstances.
- iv. Has access to a public road – this will require that new non-farm residential lots front roadways. This will have the effect of pushing livestock operations further back into farm lots. Locating new livestock housing back from roads is more expensive for farmers to put in laneways, hydro service, water services etc. and reduces the efficient use of agricultural land.
- v. Is adjacent to existing non-ag land uses or is primarily on lower priority agricultural lands –the Canadian Soil Classification System places all Perth County Soils in Class 1 2 or 3. Further research could be done to further analyze soil types in Perth County to identify any lower priority ag lands (Class 4 through 7).

There is a discussion in the planning community as to whether the policy allows three new lots or a total of three lots including the retained farm parcel. This remains uncertain at this time.

The proposed policy raises the question of will municipalities be able to adequately evaluate the potential impact of non-farm residential development on agricultural operations? And if they do will today's context be enough to prevent hindering future agricultural operations? Generally speaking more people without an agricultural background who moving to the countryside will increase conflict related to normal farm practices (odour, dust, pesticide use, flies, farm equipment, etc). This will make it ever more challenging for farmers to conduct their normal farm practices on a day to day basis.

The second important question is 'what adjacent non-farm uses' are being considered and what exactly will the County require to demonstrate 'lower priority ag lands' in order to satisfy the 5<sup>th</sup> criteria?

The new PPS does not allow municipalities to put provisions in their OP or zoning bylaws that are more restrictive than Section 4.3.3.1 listed above, but perhaps some control can be sought through the interpretation of

‘adjacent non-farm uses’ and ‘lower priority ag lands’ in the context of Perth County’s highly productive farmland.

Perth County has been developing a growth plan for the New OP that accommodates the projected population growth for the next 25 years as directed by the 2020 PPS. The Watson and Associates Land Needs Assessment presented to Council on April 6, 2023 calculates that there will be demand for 290 new households per year for the next 25 years and that 238 hectares is needed in addition to our current inventory to accommodate that growth on public water and sanitary servicing.

Presumably demand for 290 households a year (as forecast by the 2023 Watson and Associate calculations) will largely be accommodated in the settlement areas but there will be interest in severing residential lots from farms and it is quite hard to estimate the impact of that in hectares or in the number of potential lots. It is an approximation, but assuming 1 hectare per new lot it is far less efficient land use than in serviced areas and comes with the addition of serious consequences for livestock farming and farming in general for Perth County farm operations.

Some other municipalities are simply taking the number of farm parcels and multiplying by 3 to get some scope on the issue. In Perth County that would be 8,080 farm parcels, with three new lots each being 24,240 lots at 1 ha each so the equivalent number of hectares. More realistically you would have to remove the lots that are smaller than 2 ha to begin with and consider the MDS calculations for all the existing livestock operations in order to have clarity about the long-term potential impact of the lot creation policies proposed by the new PPS in the County. What is easier to envision is that in each concession block there is probably 2 or 3 farm lots that could potentially meet the MDS criteria for new lot creation. Putting three new dwellings, plus any additional dwelling units on each new lot effectively sterilizes the block from having any new livestock operations and introduces upwards of 9 new lots and potential for 27 new dwelling units in that block at a maximum density of only 3 units per hectare if the soils are proven to be capable of dealing with the effluent from weeping beds, otherwise the units per hectare is further decreased.

2. Comprehensive Review and Settlement Boundary Expansions – The draft 2023PPS removes reference to a Comprehensive Review and instead allows for settlement boundary expansions, employment land conversions and the removal of Prime Agricultural Lands through an OP Amendment at any time. The Comprehensive Review has been a PPS requirement since 2005. The tests to be applied at the time of an OP Amendment are not as stringent as they were, but would still require consideration of adequate

servicing, phased progression of urban development, and impacts on agriculture including minimum distance separation through an Agricultural Impact Assessment.

These changes allow greater flexibility to manage settlement areas and consider changes in a more streamlined process. It requires greater intention and care from the municipalities to continue to focus the majority of growth to fully serviced areas while giving some flexibility for villages and hamlets.

3. Growth projections and land needs assessment remain critical tools for managing and planning for growth. The new PPS intends that municipalities continue to plan for and provide sufficient land to accommodate growth for at least 25-years instead of “up to” 25 years. Intensification targets would no longer be required while density targets are needed. County staff will need to consider revisions to the draft New OP in this regard and re-evaluate minimum density targets to include in the growth management policies.
4. References to affordability have been removed and replaced with ‘housing options’ which is a direction to incorporate a greater variety of dwelling types as well as variety in ownership and rental models. It is implied that greater ‘housing options’ is a suitable means to address affordability.
5. Employment Areas are being more strictly preserved for core industrial uses and prohibiting any mixing of commercial, recreational or institutional uses. Language continues to be present to ensure Planning Authorities are giving compatibility between employment uses and sensitive land uses adequate due diligence. While the policies are not specific about how employment areas should be updated it offers that at least a 25-year land supply is needed and planning for employment areas may go beyond this timeline. In addition, the conversion of employment lands for other uses would become easier without the requirement for a comprehensive review. The new PPS provides tests related to minimizing impacts on employment uses, adequate infrastructure and servicing for the proposed use and an identified need for the removal of the land over that of the need for the employment use.
6. The Natural Heritage (Natural Environment) policies and related definitions are still under consideration by the government and there are no indications what changes might be proposed or when they will be available for comment.

## **Proposed Comments regarding Bill 97 (Helping Homebuyers, Protecting Tenants Act, 2023) and Draft Provincial Planning Statement, April 6, 2023 to be sent to the Province:**

### Bill 97

1. Perth County is finalizing a draft new Official Plan (OP) prior to public engagement scheduled for later this year. The new OP provides many necessary updates in policy to accommodate growth, improve housing options and protect the agricultural, aggregate and natural environment resources. Much effort and many resources have been put into development of an OP that meets the needs of our community and thoughtfully plans for growth. The additional MZO powers proposed to be afforded to the Minister lack transparency and do not give sufficient certainty to the municipality or the public.

**Perth County requests that the new additional MZO powers be removed to ensure municipal planning authorities have the tools needed to right size the settlement areas, effectively plan for infrastructure, and protect our agricultural land base.**

2. Additional Residential Units on farms is an opportunity for affordable housing and for farm families to accommodate multiple generations on the farm within a minimum size footprint. **Perth County supports this direction.**

### Proposed Provincial Planning Statement

1. Perth County is actively planning the accommodation of projected population growth and housing demand with clear intention to direct for that growth into settlement areas. Settlement areas are where complete communities are provided for the greatest amount of people and the most efficient use of land can be achieved. It is of utmost importance to Perth County to preserve highly productive farmland for food production and protect the limited natural heritage and aggregate resources found here.

The proposed Agricultural lot creation policies allowing the creation of three lots from a farm parcel undermines the growth management efforts of Perth County and Lower Tier Municipalities to be efficient with land consumption and maximizing investments in infrastructure.

Perth County is 90% Prime Agricultural Lands and has a diverse, robust agriculture industry which is necessary for the production of safe food and in providing food security locally and beyond. Agriculture in Perth County is an economic pillar both in primary agriculture and indirectly in services,

inputs, transportation, and business supports. The proposed non-farm residential lot creation policies introduce a serious threat to the continued success of our highly productive agricultural area.

**Perth County requests the new policies which allow for the creation non-farm residential lots be removed.**

2. Perth County Council supports the removal of the strict Comprehensive Review requirement in the 2020 PPS. Perth County Council also supports the requirements for agricultural impact assessments and efficient use of municipal infrastructure for settlement area boundary expansions.
3. The removal of the definition of affordable with respect to housing from the PPS allows municipalities flexibility to accommodate affordable housing definitions that may be aligned with funding and incentive opportunities available to developers. The removal of affordability targets and reference to housing and homelessness plans from the PPS makes the province's expectations for the planning authority related to affordable/attainable housing unclear.

**Perth County Council requests clarity regarding the planning authority's roles and responsibilities for the provision of affordable housing options in our communities.**

4. Perth County has 11% Natural Heritage cover on a total land area basis and is a largely agricultural community. The Natural Heritage System is incredibly important to the health of the landscape, water systems and in the prevention of soil erosion. The Natural Heritage Policies in the PPS are a significant tool which informs the County's ability to adequately evaluate development proposals and prevent adverse effect on the existing Natural Heritage System.

The County of Perth is currently engaged in an extensive consultation with landowners related to Natural Heritage Systems mapping and is also reviewing policy regarding Natural Heritage in a draft of a New OP for the County. **Perth County requests timely action by the province to share proposed Natural Heritage Policies.**

**Others Consulted:**

County Planning Directors Group, Western Ontario Wardens Caucus Planning Working Group, Dr. Wayne Caldwell

**Connection to Strategic Plan:**

Goal 1 – Growth & Economic Development

Goal 2 – Regionalization & Service Effectiveness

Goal 4 – Community Development & Planning

**Reviewed By:**

Lori Wolfe, CAO



*United Counties of*  
**Stormont, Dundas & Glengarry**

**RESOLUTION**

**MOVED BY Councillor Williams**

**RESOLUTION NO 2023- 98**

**SECONDED BY Councillor Lang**

**DATE May 15, 2023**

WHEREAS the goal of increasing housing supply and reducing barriers in planning processes as set out in the recent legislative, regulatory and policy changes, including new provisions from Bill 23, More Homes Built Faster Act, 2022 is welcomed; and

WHEREAS the proposed PPS (sections 2.6 and 4.3) would dramatically remove municipal power and renders aspects of the County's Official Plan, and other official plans throughout Ontario inoperative, terminating some local planning autonomy, and directly interfering with municipalities' ability to meet local variation and unique community needs; and

WHEREAS the proposed PPS changes that would allow proliferation of lots with protection restricted to specialty crop areas only diminishes the purpose, uses, and integrity of rural and agricultural lands, thereby removing protection and restricting future uses of those lands; and

WHEREAS the proposed PPS changes encourage sprawl and rural roadway strip development, rather than more fiscally and environmentally sustainable practices like intensification in established settlement areas; and

WHEREAS the province has announced changes will be proposed to natural heritage (section 4.1) that have yet to be published.

THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the United Counties of Stormont, Dundas, and Glengarry urges the province to:

- pause proposed changes to the PPS, particularly regarding natural heritage (section 4.1) and agricultural lands (sections 2.6 and 4.3)
- reinvest trust in the local planning authority of all 444 municipalities, recognizing that each Ontario municipality has unique landscapes, different housing needs and differing visions for local planning matters

AND THAT our fellow municipalities be urged to voice their concerns regarding the proposed undermining of local planning authority;

AND FURTHER THAT a copy of this resolution be sent to all 444 municipalities, The Hon. Doug Ford, Premier of Ontario, The Hon. Steve Clark, Minister of Municipal Affairs

and Housing; The Hon. Lisa Thompson, Ministry of Agriculture, Food and Rural Affairs, The Hon. David Piccini, Minister of Environment, Conservation and Parks, Stormont-Dundas-South Glengarry MPP Nolan Quinn, Glengarry-Prescott-Russell MPP Stéphane Sarrazin , the Association of Municipalities of Ontario, the Rural Ontario Municipal Association, the Federation of Canadian Municipalities, and the Eastern Ontario Wardens Caucus.

CARRIED       DEFEATED       DEFERRED



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WARDEN



June 26, 2023

The Honourable Doug Ford  
Premier of Ontario  
Legislative Building, Queen's Park  
Toronto, ON M7A 1A1  
Via Email: [premier@ontario.ca](mailto:premier@ontario.ca)

**RE: Proposed New Provincial Policy Statement (PPS)**

Plensed be advised that the Council of the Municipality of North Perth passed the following resolution at their regular meeting held May 15, 2023 in support of the resolution from the County of Prince Edward regarding the proposed new Provincial Policy Statement (PPS):

**Moved by** Councillor Rothwell **Seconded by** Councillor Johnston

**THAT:** The Council of the Municipality of North Perth supports the resolution received from the County of Prince Edward;

**AND THAT:** This resolution be sent to all municipalities in Ontario, the Premier of Ontario, the Minister of Municipal Affairs and Housing, the Ministry of Agriculture, Food and Rural Affairs, Minister of Environment, Perth-Wellington MPP Matthew Rae, the Association of Municipalities of Ontario and the Federation of Canadian Municipalities.

**CARRIED**

Attached please find a copy of the County of Prince Edward's resolution dated May 10, 2023.

If you have any questions regarding the above resolution, please do not hesitate to contact me at [lcline@northperth.ca](mailto:lcline@northperth.ca).

Sincerely,

Lindsay Cline,  
Clerk/Legislative Services Supervisor  
Municipality of North Perth

cc.

Hon. Steve Clark, Minister of Municipal Affairs and Housing

Hon. Lisa M. Thompson, Minister of Agriculture, Food and Rural Affairs

Hon. David Piccini, Minister of the Environment, Conservation and

Parks Perth-Wellington MPP Matthew Rea

Association of Municipalities of Ontario (AMO)

Federation of Canadian Municipalities (FCM)

All Ontario Municipalities

May 10, 2023

Please be advised that during the Regular Council meeting of May 9, 2023 the following resolution regarding the proposed new Provincial Planning Statement (PPS) was carried:

**RESOLUTION NO.** 2023-293

**DATE:** **May 9, 2023**

**MOVED BY:** **Councillor Hirsch**

**SECONDED BY:** **Councillor MacNaughton**

**WHEREAS** the goal of increasing housing supply and reducing barriers in planning processes as set out in the recent legislative, regulatory and policy changes, including new provisions from Bill 23, More Homes Built Faster Act, 2022 is welcomed;

**WHEREAS** the proposed PPS (sections 2.6 and 4.3) would dramatically remove municipal power and renders aspects of the County's Official Plan, and other official plans throughout Ontario inoperative, terminating some local planning autonomy, and directly interfering with municipalities' ability to meet local variation and unique community needs;

**WHEREAS** the proposed PPS changes that would allow proliferation of lots with protection restricted to specialty crop areas only diminishes the purpose, uses, and integrity of rural and agricultural lands, thereby removing protection and restricting future uses of those lands;

**WHEREAS** the proposed PPS changes encourage sprawl and rural roadway strip development, rather than more fiscally and environmentally sustainable practices like intensification in established settlement areas; and

**WHEREAS** the province has announced changes will be proposed to natural heritage (section 4.1) that have yet to be published;

**THEREFORE BE IT RESOLVED THAT** the Council of the Corporation of the County of Prince Edward urges the province to:

- pause proposed changes to the PPS, particularly regarding natural heritage (section 4.1) and agricultural lands (sections 2.6 and 4.3)

- reinvest trust in the local planning authority of all 444 municipalities, recognizing that each Ontario municipality has unique landscapes, different housing needs and differing visions for local planning matters;

**THAT** our fellow municipalities be urged to voice their concerns regarding the proposed undermining of local planning authority;

**AND FURTHER THAT** a copy of this resolution be sent to all 444 municipalities, The Hon. Doug Ford, Premier of Ontario, The Hon. Steve Clark, Minister of Municipal Affairs and Housing; The Hon. Lisa Thompson, Ministry of Agriculture, Food and Rural Affairs, The Hon. David Piccini, Minister of Environment, Conservation and Parks, Bay of Quinte MPP, Todd Smith, the Association of Municipalities of Ontario, the Federation of Canadian Municipalities, and the Eastern Ontario Wardens Caucus.

**CARRIED**

Yours truly,



Catalina Blumenberg, **CLERK**

cc: Mayor Ferguson, Councillor Hirsch, Councillor MacNaughton & Marcia Wallace, CAO

