



BY-LAW NO. 2013-0012

A By-law to adopt Amendment No. 16 to the
Official Plan of the Town of Halton Hills –
Re-designation of Former Aggregate Extraction Sites

WHEREAS the Council of the Corporation of the Town of Halton Hills, is empowered to enact this By-law by virtue of the provisions of the Planning Act, 1990, R.S.O., c.P. 13, as amended;

AND WHEREAS on March 18, 2013, Council for the Town of Halton Hills approved Report No. PDS-2013-0035, dated March 13, 2013, in which certain recommendations were made relating to the re-designation of former licensed aggregate extraction sites in the Town of Halton Hills;

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:

1. That Amendment No. 16 to the Official Plan of the Town of Halton Hills, being the attached text and schedules, is hereby adopted;
2. That the Town Clerk is hereby authorized to make application to the Region of Halton for approval of Official Plan Amendment No. 16 to the Official Plan of the Town of Halton Hills;
3. That this By-law shall not come into force or take effect until Amendment No. 16 to the Official Plan for the Town of Halton Hills is approved by the Region of Halton.

BY-LAW read and passed by the Council for the Town of Halton Hills this 18th day of March, 2013.



MAYOR – Rick Bonnette



TOWN CLERK – Suzanne Jones

OFFICIAL PLAN AMENDMENT NO 16
TO THE OFFICIAL PLAN
for
THE CORPORATION OF THE TOWN OF HALTON HILLS
(Re-designation of Former Licensed Aggregate Extraction Sites)

March 18, 2013

FILE: D08 – Stand Alone Aggregate Related Uses Study


**AMENDMENT NO. 16 TO THE OFFICIAL PLAN
OF THE TOWN OF Halton Hills**

The attached text and schedules constitutes Amendment No.16 to the Official Plan of the Town of Halton Hills, which was adopted by the Council of the Town of Halton Hills by By-law 2013-0012 in accordance with the provisions of the Planning Act, 1990, R.S.O., c.P. 13, as amended;

THE CORPORATION OF THE TOWN OF Halton Hills



MAYOR – R. Bonnette



CLERK – S. Jones

AMENDMENT NO. 16

TO THE OFFICIAL PLAN FOR THE TOWN OF Halton Hills

PART A – THE PREAMBLE does not constitute part of the Amendment.

PART B – THE AMENDMENT, consisting of the following text and schedules, constitutes Amendment No. 16 to the Official Plan for the Town of Halton Hills.

PART C – THE APPENDICES - does not constitute part of the Amendment, but is included for information purposes only.

Part A – The Preamble

1. Purpose of the Amendment

The purpose of this Amendment is to re-designate two properties formerly licensed under the *Mineral Resources Act* for aggregate extraction to a more appropriate land use designation that recognizes that the properties are no longer licensed.

The amendment re-designates the property known as 12519 Eighth Line, Part Lot 23, Concession 9, Town of Halton Hills (Esquesing), from Mineral Resource Extraction Area to Protected Countryside Area and Protected Countryside Area with a Natural Heritage System Overlay to be consistent with the Provincial Greenbelt Plan.

The amendment also re-designates the property known as 12942 Highway 7, Part Lots 26 & 27, Concession 7, Town of Halton Hills (Esquesing) from Mineral Resource Extraction Area to Greenlands A, Escarpment Natural Area, Greenlands B, and Escarpment Rural Area to be consistent with the Niagara Escarpment Plan as amended by Amendment No. 192, and the Greenlands System as defined in the Regional Official Plan.

2. Location

This amendment applies to two former licensed aggregate extraction sites in the Town as follows:

- 12519 Eighth Line, Part Lot 23, Concession 9, Town of Halton Hills (Esquesing)
- 12942 Highway 7, Part Lots 26 & 27, Concession 7, Town of Halton Hills (Esquesing)

3. Basis of the Amendment

This Amendment is intended to implement the recommendations being made in the "*Stand-Alone Aggregate Related Uses Study*" prepared by the Town and finalized on March 18, 2013.

In light of a review of relevant land use policies, aggregate related land uses, and comments from, agencies, aggregate industry representatives and the public as part of the study, it has been recommended that once a license under the *Aggregate Resources Act* has been surrendered or revoked, the Town should take steps to remove the Mineral Resource Extraction Area designation and Mineral Aggregate Resource zone from the property to recognize that the lands are no longer licensed.

This Amendment recognizes that it is the intent of Provincial policy to promote the rehabilitation of aggregate extraction sites after a license has been surrendered or revoked and that aggregate related activities should not continue on a property once the license has been surrendered or revoked.

Similarly, the intent of the Town of Halton Hills Official Plan is that aggregate extraction sites be rehabilitated, and that former aggregate extraction sites be re-designated under the Official Plan to a more appropriate land use which precludes mineral aggregate extraction in the future once they are no longer licensed. It is intended that the after use be compatible with and have minimal impact on the surrounding natural environment, vistas and views and existing uses. The Plan provides specific criteria for consideration when determining an appropriate land use.

Finally, the intent of the Town of Halton Hills Comprehensive Zoning By-law is to only zone properties as Mineral Aggregate Resource (MAR) if they are licensed for mineral aggregate extraction under the *Aggregate Resources Act*.

The property located at 12519 Eighth Line, Part Lot 23, Concession 9, Town of Halton Hills (Esquesing) (known as the former Campbell Pit) was formerly licensed under the *Mineral Resources Act* by the Ministry of Natural Resources for aggregate extraction. The property is currently designated Mineral Resource Extraction Area under the Town of Halton Hills Official Plan and zoned Mineral Aggregate Resource (MAR) under the Town's comprehensive zoning by-law. This amendment proposes to re-designate the property from Mineral Resource Extraction Area to Protected Countryside Area and Protected Countryside Area with a Natural Heritage System Overlay as the property is no longer licensed for aggregate extraction, and in accordance with the Provincial Greenbelt Plan. A corresponding zoning amendment has been proposed to rezone the property from Mineral Aggregate Resource (MAR) to Protected Countryside (PC) and Protected Countryside Natural Heritage System Two (PC-NHS2).

The property located at 12942 Highway 7, Part Lots 26 & 27, Concession 7, Town of Halton Hills (Esquesing) (known as the former J.C. Duff Ltd. Pit) has been rehabilitated and is no longer licensed under the *Mineral Resources Act* by the Ministry of Natural Resources for aggregate extraction. The property is located within the Niagara Escarpment Plan Area and is subject to Development Control by the Niagara Escarpment Commission. The property is currently designated Mineral Resource Extraction Area under the Town of Halton Hills Official Plan and is not subject to the Town's comprehensive zoning by-law. This amendment re-designates the property from Mineral Resource Extraction Area to Greenlands A, Escarpment Natural Area, Greenlands B, and Escarpment Rural Area since the property is no longer licensed and to be consistent with the Niagara Escarpment Plan as amended by Amendment No. 192, and the Greenlands System as defined in the Regional Official Plan.

Part B – The Amendment

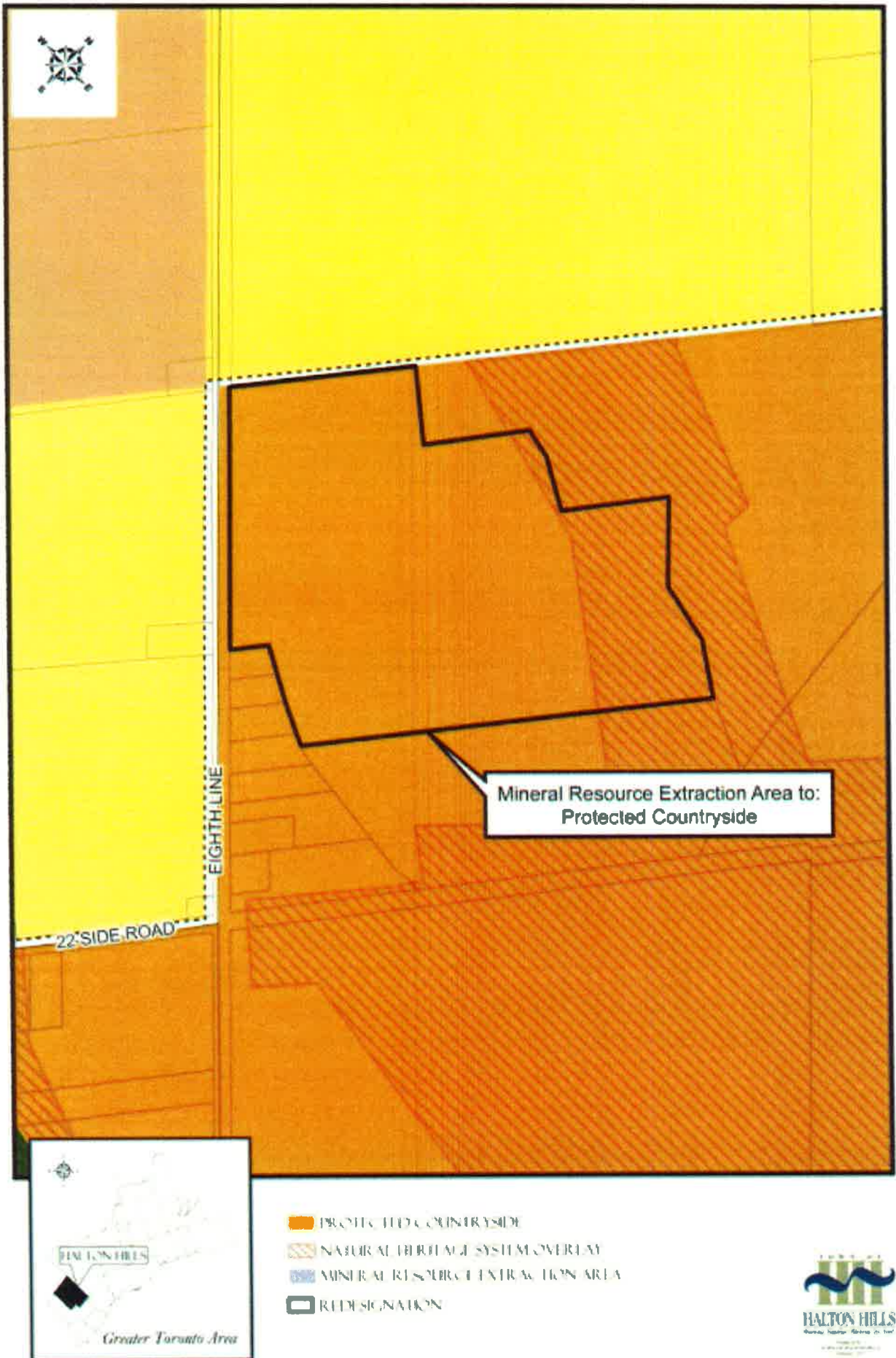
All of this part of the document entitled PART B – THE AMENDMENT, consisting of the following text, constitutes Amendment No. 16 to the Official Plan for the Town of Halton Hills.

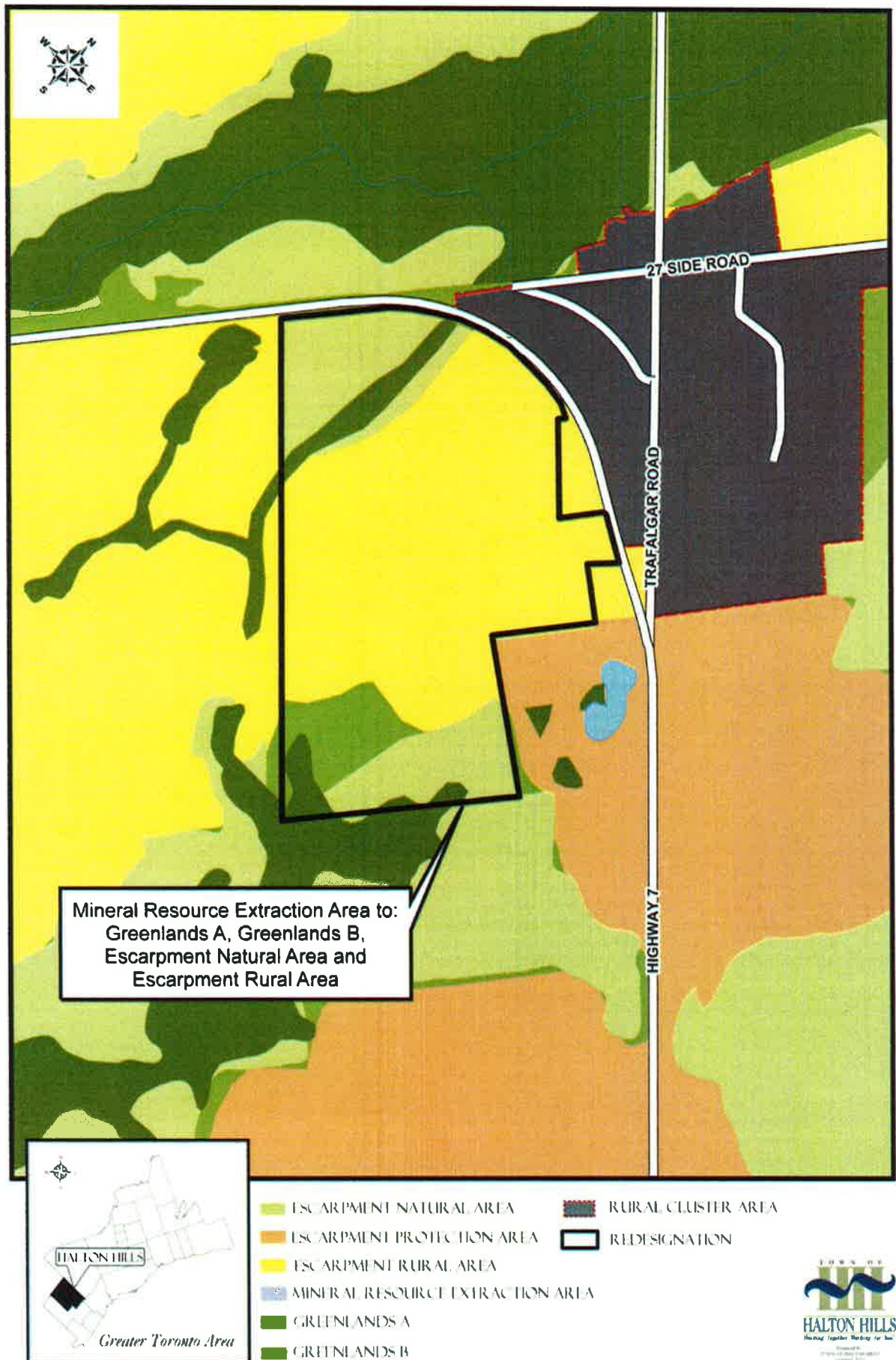
Details of the Amendment

The Official Plan of the Town of Halton Hills is hereby amended as follows:

1. That Schedule A2, Greenbelt Plan is amended, as shown on Schedule "1" and Schedule "2" attached to and forming part of this Amendment No. 16 by:
 - i) Re-designating the property known as 12519 Eighth Line, Part Lot 23, Concession 9, Town of Halton Hills (Esquesing), from Mineral Resource Extraction Area to Protected Countryside Area and Protected Countryside Area with a Natural Heritage System Overlay.
 - ii) Re-designating the property known as 12942 Highway 7, Part Lots 26 & 27 Concession 7, Town of Halton Hills (Esquesing) from Mineral Resource Extraction Area to Greenlands A, Escarpment Natural Area, Greenlands B, and Escarpment Rural Area.

Schedule 1 to OPA No. 16





PART C
THE APPENDICES

APPENDIX 1 – Notice of Public Meeting

NOTICE OF STATUTORY PUBLIC MEETING

TOWN INITIATED OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS PERTAINING TO STAND ALONE AGGREGATE RELATED USES

DATE: March 5, 2013
TIME: 7:00 P.M.
LOCATION: Council Chambers, Civic Centre
1 Halton Hills Drive
Halton Hills (Georgetown)

Town of Halton Hills Council will hold a statutory public meeting to discuss draft Official Plan and Zoning By-law Amendments pertaining to stand alone aggregate related uses in the Town.

On April 2, 2012, Town Council approved the undertaking of a Stand Alone Aggregate Related Uses Study and passed an Interim Control By-law to allow for the review and development of appropriate land use policies related to stand alone aggregate related uses including asphalt plants, concrete batching plants, and aggregate transfer stations in the Town.

Proposed Town Wide Amendments

Town wide Official Plan and Zoning By-law amendments are proposed to introduce specific policy and land use regulations pertaining to asphalt plants, concrete batching plants, and aggregate transfer stations in the Town including:

- Directing concrete batching plants and aggregate transfer stations to the urban employment areas of Acton and Georgetown, and the Mansewood rural industrial area, subject to criteria.
- Requiring an amendment to the Official Plan and the Zoning By-law for the establishment of an asphalt plant in the Acton and Georgetown employment areas.

Additional related wording and technical changes, such as new definitions, are also being proposed as part of the amendments, including policies and zoning provisions pertaining to outdoor storage uses.

While the proposed Official Plan and Zoning By-law amendments have town-wide application, they relate principally to the following lands in the Town:

- All lands designated General Employment Area, Rural Industrial Area, or Mineral Resource Extraction Area under the Town of Halton Hills Official Plan.
- All lands zoned Employment One (EMP1), Rural Employment (RU-EMP), or Mineral Aggregate Resources (MAR) under Town of Halton Hills Zoning By-law 2010-0050 as amended.
- All lands that remain subject to Zoning By-law 74-51 as amended, in the Town, and in particular those lands zoned General Industrial (M1).
- All lands that remain subject to Zoning By-law 57-91 as amended, in the Town, and in particular those lands zoned First Industrial (M1) and Second Industrial (M2).

Proposed Site Specific Amendments

In keeping with the proposed policy direction to expeditiously re-designate and re-zone MAR zoned properties that are no longer licensed under the *Aggregate Resources Act*, site specific amendments to the Official Plan and Zoning by-law are also proposed for two former aggregate extraction sites in the Town, as follows:

- **Location:** 12519 Eighth Line, Halton Hills (Esquesing)
Part Lot 23, Concession 9 (Esquesing), Part 1, 20R-10084, Part 1, 20R-2217, Part 1, 20R-8815, Town of Halton Hills, PIN 25012-0034 (LT)

Proposed Amendments:

To re-designate from Mineral Resource Extraction Area to Protected Countryside Area and Protected Countryside Area with a Natural Heritage System Overlay under the Town of Halton Hills Official Plan, and rezone from Mineral Aggregate Resources Zone (MAR) to Protected Countryside (PC) and Protected Country Side Natural Heritage System Two (PC-NHS2) under Town of Halton Hills Zoning By-law 2010-0050 as amended, consistent with the Provincial Greenbelt Plan.

- **Location:** 12942 Highway 7, Halton Hills (Esquesing)
Part Lots 26 & 27 Concession 7 (Esquesing), Town of Halton Hills

Proposed Amendments:

To re-designate from Mineral Resource Extraction Area to Escarpment Natural Area, Escarpment Protection Area, and Escarpment Rural Area under the Town of Halton Hills Official Plan, consistent with the Niagara Escarpment Plan as amended by Amendment No. 192.

Following the statutory public meeting, Town staff will prepare a report to Council which will respond to oral and written comments received, and provide a final recommendation on passage of the Official Plan and Zoning By-law Amendments.

Additional information pertaining to the draft Amendments will be available for public review and comment, on Wednesday, February 13, 2013 at the Town of Halton Hills Planning, Development and Sustainability Department, 1 Halton Hills Drive, Halton Hills, Ontario L7G and on the Town's website:

<http://www.haltonhills.ca/initiatives/AggregateStudy.php>.

Contacts:

Curtis Marshall, MCIP RPP
Planner – Policy
905-873-2601 ext. 2253
curtism@haltonhills.ca

Steve Burke, MCIP RPP
Manager of Planning Policy
905-873-2601 ext. 2254
stevebu@haltonhills.ca

Please provide all comments by March 8, 2013.

APPENDIX 2 – Minutes of the Public Meeting



DRAFT ---- M I N U T E S

PUBLIC MEETING-2013-0001

TOWN INITIATED OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS PERTAINING TO STAND ALONE AGGREGATE RELATED USES

Minutes of the Public Meeting held on Tuesday, March 7, 2013 at 8:14 p.m., in the Council Chambers, Town of Halton Hills Civic Centre, 1 Halton Hills Drive.

Councillor M. O'Leary chaired the meeting.

Councillor M. O'Leary advised the following:

The purpose of this Public Meeting is to inform and provide the public with the opportunity to ask questions, or to express views with respect to the draft Official Plan and Zoning By-law Amendments pertaining to stand alone aggregate related uses in the Town. The Councillors are here to observe and listen to your comments; however, they will not make any decisions this evening. Please note the tonight's meeting is not related to the Town's Site Alteration By-law or any pending applications made under the by-law.

As the Chair, I am informing you that when Council makes a decision, should you disagree with that decision, the Planning Act provides you with an opportunity to appeal the decision to the Ontario Municipal Board for a hearing. Please note that if a person or public body does not make oral submissions at a public meeting or written submissions to the Town of Halton Hills before the decision is made, the person or public body is not entitled to appeal the decision of the Town of Halton Hills to the Ontario Municipal Board.

In addition, if a person or public body does not make oral submission at a public meeting, or make written comments to the Town of Halton Hills before the decision is made the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board, unless, in the opinion of the Board, there are reasonable grounds to do so. You may wish to talk to Planning staff regarding further information on the appeal process.

The Planning Act requires that at least one Public Meeting be held.

The format of this Public Meeting is as follows:

- The Town's consultant – Meridian Planning will generally explain the purpose and details of the draft Official Plan and Zoning By-law Amendments;
- Next, the public can obtain clarification, ask any questions and express their views on the draft Amendments.

Town staff will attempt to answer questions or respond to concerns this evening. If this is not possible, staff will follow up and obtain this information. Responses will be

provided when this matter is brought forward and evaluated by Council at a later date.

SPECIFIC APPLICATION

This Public Meeting involves Town initiated draft Official Plan and Zoning By-law Amendments pertaining to stand alone aggregate related uses in the Town.

Following the presentation by the Town's consultant, any questions should be directed to the appropriate person for response.

The Chair called upon the Town's Consultant - Nick McDonald from Meridian Planning to come forward to explain the draft Official Plan and Zoning By-law Amendments.

Nick McDonald, Meridian Planning

Mr. McDonald provided an explanation of the intent of the public meeting and the overall intent of the project. Mr. McDonald provided the public with the process to date, an overview of the changes proposed and the reasons for the proposed the changes, and what the next steps are in the process to implement the changes.

(A copy of the PowerPoint Presentation is on file with the Clerk's Office)

The Chair thanked Mr. McDonald for his presentation.

PUBLIC'S OPPORTUNITY

The Chair asked if there were any persons in attendance that had any questions, required further clarification or information or wished to present their views on the draft Amendments.

Seeing that there were persons present wishing to speak on the matter the Chair noted the following process;

Each person wishing to speak shall come forward to the podium one at a time, when recognized by the Chair, and state their name and address for the record.

The following persons came forward to speak:

David McNally, McNally Construction

Mr. McNally stated that he was repeatedly told that the Public Meeting regarding this matter would not be held until April. Mr. McNally also stated that this piece of legislation is the most irresponsible piece of legislation to come out of this Town ever. The required building coverage for a piece of land does not say that the Town of Halton Hills is open for business. Mr. McNally explained that under the proposed legislation that a 60 acre property such as the one he owns in Acton would require a purchaser to build a building five times the size of the Superstore. Mr. McNally noted that he understood and agreed with the idea of ensuring that the properties were not used to store tractor trailers and that requiring the businesses to have a building on the site makes sense but that building size requirements are too extreme. Mr. McNally said that too many rules will box the Town in. Mr. McNally also stated that he has heard people say that you can always go to Committee of Adjustment to get changes made but nobody wants to do that and in the end people will go elsewhere with their businesses.

Clare Riepma, 13041 Highway 7, Town of Halton Hills

Mr. Riepma stated that he was representing a landowner with a property on Prince Street just east of Glen Williams that has been designated MAR (Mineral Aggregate Resources). Mr. Riepma stated that his client has serious concerns with the proposed changes to the Official Plan and Zoning By-law pertaining to stand alone aggregate related uses in the Town and that he has provided Town Staff with a letter stating those concerns.

Joan Cornfield, 13705 22nd Side Road, Town of Halton Hills

Ms. Cornfield provided her perspective on global environmental issues. Ms. Cornfield stated that she is 80 years old and has Asthma and the current use of 12519 8th Line in terms of truck traffic and CO2 emissions are detrimental to her health and the health of the community. Ms. Cornfield stated that she is in support of the proposed change in designation of 12519 8th Line to Protected Countryside Area and Protected Countryside Area with a Natural Heritage System Overlay.

(Ms. Cornfield's presentation is on file in the Clerk's Office)

Laurie Yaworski, 12171 8th Line, Town of Halton Hills

Ms. Yaworski stated her concerns about the safety of her family due to the truck traffic to and from 12519 8th Line. She stated that they cannot even walk their dogs on the road; it is too dangerous as the trucks do not obey speed limits.

Elizabeth Doell, 12451 8th Line, Town of Halton Hills

Ms. Doell respectfully requested that Council act on behalf of the residents and adopt the change in designation of 12519 8th Line to Protected Countryside Area and Protected Countryside Area with a Natural Heritage System Overlay. Ms. Doell stated that the area has always been a nice peaceful place until recently with all of the truck traffic and therefore supports the change in designation.

Sam Holmes, 13209 22nd Side Road, Town of Halton Hills

Mr. Holmes stated that he originally helped to empty the pit at 12519 8th Line years ago and never thought that anything else would be done with the pit. Now there are trucks going in and out all of the time creating noise and safety issues. Mr. Holmes stated that his 84 year old mother cannot even walk her dog down the road anymore. Mr. Holmes also noted the potential reduction in property values if the current use were to continue. Mr. Holmes asked Council to please support the proposed amendments to the Official Plan and Zoning By-law pertaining to stand alone aggregate related uses in the Town.

Sharon Dutton, 12501 8th Line, Town of Halton Hills

Ms. Dutton explained that she has severe environmental sensitivities and that the current use of 12519 8th Line creates health risks for her in terms of truck emissions and dust. Ms. Dutton stated that she has an air filter installed in her home because in the summer she has to keep all of her windows closed in order to breathe because of the dust.

Michael Huggins, 13805 22nd Side Road, Town of Halton Hills

Mr. Huggins stated that he and his wife support the proposed amendment to Protected Countryside Area and Protected Countryside Area with a Natural Heritage System Overlay.

John Mannell, 13716 22nd Side Road, Town of Halton Hills

Mr. Mannell stated that he was in agreement with the statements of the other residents that had spoken but wished to add that he fears for the safety of his children just getting on their bus for school due to the truck traffic. Mr. Mannell also stated that he believes that riding a bike is great exercise for children but that he does not allow his children to do so as it is too dangerous due also to the truck traffic. Mr. Mannell stated that he supports the proposed amendment to Protected Countryside Area and Protected Countryside Area with a Natural Heritage System Overlay.

CONCLUSION OF MEETING

The Chair declared the Public Meeting closed. The Chair advised that Council would not be taking any action on the draft Official Plan and Zoning By-law Amendments tonight. Staff will be reporting back on March 18, 2013 with a recommendation for Council's consideration.

If you wish to receive further notification of this proposal, please leave your name with a member of staff in the foyer outside this Council Chamber, or with the Town Clerk during regular business hours. Only those persons who leave their names will be provided further notification. If you wish to speak to the Amendments when they are brought before Council in the future, you must register as a delegation with the Town Clerk prior to the meeting.

If you wish to make a written submission respecting the proposed Stand Alone Aggregate Related Uses Official Plan and Zoning By-law Amendments, the deadline for comment is Friday March 8, 2013.

The Public Meeting Closed at 9:00 p.m.

Draft
MAYOR Rick Bonnette

Draft
CLERK Suzanne Jones

Staff Reports

Report	Title
PDS-2012-0033	Proposed Interim Control By-law and Study for Stand Alone Aggregate Related Uses
PDS-2012-0035	Proposed Terms of Reference - Stand Alone Aggregate Related Uses Study
PDS-2012-0072	Stand Alone Aggregate Related Uses Study - Background and Policy Options Paper
PDS-2013-0015	Stand Alone Aggregate Related Uses Study - Recommended Land Use and Draft Policy Report
PDS-2013-0032	Stand Alone Aggregate Related Uses Study - Public Meeting Report
PDS-2013-0035	Stand Alone Aggregate Related Uses Study - Final Recommendation Report

Draft Documents

Date	Title
February 2013	Draft Official Plan Amendment – Stand Alone Aggregate Related Uses (for Public Meeting)