



The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: October 7, 2024

Report No: DS-066-24

Subject: Statutory Public Meeting and Recommendation - Town Initiated Official Plan Amendment to re-designate lands known municipally as 3475 Campbellville Road (Part Lot 6 Concession 4) and 4000 Campbellville Road (Part Lot 5 Concession 5). (Files: LOPA-04/24 and

Recommendation: THAT Council **APPROVE** Staff Report DS- 066-24 detailing the Town Initiated Official Plan Amendment to update the land use designation for Part Lot 6 Concession 4 and Part Lot 5 Concession 5;

AND THAT Council **AUTHORIZE** Staff to bring forward Official Plan Amendments No. 83 and No. 84 in accordance with the draft Official Plan Amendment attached as Appendix 1 and Appendix 2 to Report DS-066-24 for Council adoption.

EXECUTIVE SUMMARY

The Minister of Natural Resources amended the Niagara Escarpment Plan to re-designate the lands legally known as Part Lot 6, Concession 4, and Part Lot 5 Concession 5 in the Town of Milton. The amendment changed the designation from Mineral Resource Extraction Area to Escarpment Protection Area and Escarpment Natural Area. The Minister's amendment was made at the request of the Niagara Escarpment Commission.

The subject properties are former sand and gravel pits. Both sites have been fully rehabilitated and the licenses have been surrendered. One of the sites is currently being used for agriculture and contains natural heritage features. The other site also contains natural heritage features. As a result, the Niagara Escarpment Plan has been updated to change the designation from Mineral Resource Extraction Area to Escarpment Protection Area and Escarpment Natural Area.

Staff are proposing updates to the relevant Schedules of the Milton Official Plan in order to conform with and not conflict with the updated designations in the Niagara Escarpment Plan.

REPORT

Background

In July 2021, the Niagara Escarpment Commission instructed its staff to process two amendments to the Niagara Escarpment Plan.

One of the amendment re-designated the lands located at Lot 6, Concession 4 in the Town of Milton from Mineral Resource Extraction Area to Escarpment Protection Area. Figure 1 to this report shows the location of the subject lands. The 24.18 hectare property was previously uses as a sand and gravel extraction operation. The extraction activity has ceased, the lands have been rehabilitated and the license was surrendered. An Ecological Land Classification report confirmed that the site contains: Deciduous Forest, Meadow Marsh, Fresh-Moist Forb Meadow and Deciduous Swamp Forest. Individual Butternut trees were also identified along an unopened road allowance on the property. Niagara Escarpment Commission staff describe the remainder of the subject lands as fallow field and early successional meadow.

The second Niagara Escarpment Plan amendment re-designated the lands located at Lot 5 Concession 5 in the Town of Milton from Mineral Resource Extraction Area to Escarpment Natural Area and Escarpment Protection Area. Figure 2 to this report shows the location of the subject lands. The 17.1 hectare property was previously uses as a sand and gravel extraction operation. The extraction activity has ceased, the lands have been rehabilitated and the license was surrendered. The subject property is currently in agricultural production (corn crop). The most westerly portion of the lands contains a pond and is traversed by a tributary of Sixteen Mile Creek.

On both sites the Mineral Resource Extraction Area designation is no longer applicable given the current use of the lands.

Discussion

Planning Act

The Town of Milton Official Plan is prepared in accordance with the Planning Act. The Planning Act section 26 (1), directs

“If an official plan is in effect in a municipality, the council of the municipality that adopted the official plan shall, in accordance with subsection (1.1), revise the official plan as required to ensure that it,

(a) conforms with provincial plans or does not conflict with them, as the case may be;...”

The Planning Act then establishes timeframes within which this conformity must be completed.

Niagara Escarpment Plan

The Niagara Escarpment Plan Part 1.9.5 ‘After Uses’ states that *following the surrender of the licence, an amendment is required to change the land use designation of the lot from MREA to a land use designation that has designation criteria consistent with the*

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rehabilitation completed on the property and be processed in accordance with NEP Part 1.2.1.

In July 2021, the Niagara Escarpment Commission gave approval to staff to undertake an amendment to the Niagara Escarpment Plan to allow for the re-designation of these sites. Staff undertook the amendment process, including giving notification of the proposed amendment and holding consultations. No objections to the proposal were received.

The amendment was submitted to the Ministry of Natural Resources for approval. On April 4, 2024, the Minister of Natural Resources approved the amendment.

Town of Milton Official Plan

The Town of Milton Official Plan identifies and designates a Natural Heritage System that is comprised of a Regional Natural Heritage System and the Greenbelt Natural Heritage System. Section 4.9.1 - Criteria for Designation states the following:

4.9.1.2 Included within the Regional Natural Heritage System are:

a) Escarpment Natural Area and Escarpment Protection Area as identified in the Niagara Escarpment Plan;

Since the Niagara Escarpment Plan (NEP) has been updated to identify Escarpment Natural Area and Escarpment Protection Area on the subject properties, it is recommended that the Town of Milton Official Plan be updated to conform to the updated NEP designation.

Staff are proposing an update to Schedules 1, 1A, A, L, M, O and P. The update will remove and replace the Mineral Resource Extraction Area designation as follows:

- Schedule 1 - Town Structure Plan: Remove the Mineral Resource Extraction Area identification and add the Natural Heritage System identification to the lands at 3475 Campbellville Road (Part Lot 6 Concession 4) and 4000 Campbellville Road (Part Lot 5 Concession 5).
- Schedule 1A - Provincial Planning Structure: Remove the Escarpment Mineral Resource Extraction Area and add the Escarpment Protection Area identification to the lands at 3475 Campbellville Road (Part Lot 6 Concession 4) and by removing the Escarpment Mineral Resource Extraction Area and adding the Escarpment Natural Area and Escarpment Protection Area identifications to the lands at 4000 Campbellville Road (Part Lot 5 Concession 5).
- Schedule A - Rural Land Use Plan: Remove the Mineral Resource Extraction Area identification and add the Natural Heritage System identification to the lands at 3475 Campbellville Road (Part Lot 6 Concession 4) and 4000 Campbellville Road (Part Lot 5 Concession 5).



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- Schedule L - Municipal Wellhead Protection Zones: Remove the Mineral Resource Extraction Area identification from the lands at 3475 Campbellville Road (Part Lot 6 Concession 4) and 4000 Campbellville Road (Part Lot 5 Concession 5).
- Schedule M - Key Features within the Greenbelt and Natural Heritage System: Remove the Mineral Resource Extraction Area identification and add Enhancement Areas, Linkages, and Buffers identification to the lands at 3475 Campbellville Road (Part Lot 6 Concession 4) and by removing the Mineral Resource Extraction Area identification and adding NHS Key Features and Enhancement Areas, Linkages, and Buffers identifications to the lands at 4000 Campbellville Road (Part Lot 5 Concession 5).
- Schedule O - Agricultural System and Prime Agricultural Areas: Remove the Mineral Resource Extraction Area identification from the lands at 3475 Campbellville Road (Part Lot 6 Concession 4) and 4000 Campbellville Road (Part Lot 5 Concession 5).
- Schedule P - Identified Mineral Resource Areas and Mineral Resource Extraction Areas: Remove the Mineral Resource Extraction Area identification from the lands at 3475 Campbellville Road (Part Lot 6 Concession 4) and 4000 Campbellville Road (Part Lot 5 Concession 5).

Public Consultation

The Niagara Escarpment Commission held consultations on the re-designations between August and November 2021. The NEP Amendment was circulated to stakeholders and the public. The Commission's notice was placed in the Milton Champion and the proposed amendment was posted on the Environmental Bill of Rights Registry.

The Town of Milton provided notice of this proposed Official Plan Amendment to the required stakeholders and held a public meeting on October 7, 2024.

Key Milestones

Milestone	Date
Statutory Public Meeting	10/7/2024
Date Eligible for Appeal for Non-Decision	11/5/2024



Financial Impact

There is no financial implication associated with this amendment.

Respectfully submitted,

Jill Hogan
Commissioner, Development Services

For questions, please contact:

Phone: Ext. 2332

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Planner, Planning Policy and
Urban Design

Attachments

Figure 1 - Location Map 3475 Campbellville Road

Figure 2 – Location Map 4000 Campbellville Road

Appendix 1 – Official Plan Amendment 83

Appendix 2 – Official Plan Amendment 84

Approved by CAO
Andrew M. Siltala
Chief Administrative Officer

Recognition of Traditional Lands

The Town of Milton resides on the Treaty Lands and Territory of the Mississaugas of the Credit First Nation. We also recognize the traditional territory of the Huron-Wendat and Haudenosaunee people. The Town of Milton shares this land and the responsibility for the water, food and resources. We stand as allies with the First Nations as stewards of these lands.