



THE CORPORATION OF THE TOWN OF OAKVILLE

DRAFT

BY-LAW NUMBER 2015-069

Official Plan Amendment No. ____

A by-law to adopt an amendment to the Livable Oakville Plan, Official Plan Amendment Number ____ (Merton Lands – Natural Heritage System Partial Expansion)

WHEREAS the Livable Oakville Plan (2009 Town of Oakville Official Plan), which applies to the lands south of Dundas Street and the lands north of Highway 407, was adopted by Council on June 22, 2009, and approved with modifications by the Ontario Municipal Board on May 10, 2011; and,

WHEREAS subsection 21(1) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, states that a council of a municipality that is within a planning area may initiate an amendment to any official plan that applies to the municipality, and section 17 applies to any such amendment; and,

WHEREAS it is deemed necessary to pass an amendment to the Livable Oakville Plan to expand the natural heritage system over lands along the Fourteen Mile Creek valley as identified in the Region of Halton Official Plan.

COUNCIL ENACTS AS FOLLOWS:

1. The Attached Amendment Number __ to the Livable Oakville Plan is hereby adopted.
2. Pursuant to subsection 17(27) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, this Official Plan Amendment comes into effect upon the day after the last day for filing a notice of appeal, if no appeal is filed pursuant to subsections 17(24) and (25). Where one or more appeals have been filed under subsection 17(24) and (25) of the said Act, as amended, this Official Plan Amendment comes into effect when all such appeals have been withdrawn or finally disposed of in accordance with the direction of the Ontario Municipal Board.
3. In the event that the Regional Municipality of Halton, being the Approval Authority, declares this Official Plan Amendment to be not exempt, the Clerk is hereby authorized and directed to make application to the Approval Authority for approval of the aforementioned Amendment Number __ to the Livable Oakville Plan.

PASSED this ____ day of _____, 2015

MAYOR

CLERK

**Official Plan Amendment Number ____
to the Town of Oakville’s Livable Oakville Plan**

Constitutional Statement

The details of the Amendment, as contained in Part 2 of this text, constitute Amendment Number ____ to the Livable Oakville Plan.

Part 1 – Preamble

A. Purpose

The purpose of the proposed official plan amendment is to incorporate into the Livable Oakville Plan site-specific modifications to the text and schedules in order to facilitate the expansion of the natural heritage system over public lands along the Fourteen Mile Creek valley.

The subject lands are generally located along the Fourteen Mile Creek valley between Upper Middle Road to the north and the QEW to the south and include public lands designated Regional Natural Heritage System under the Region of Halton Official Plan and adjacent parkland.

Once the official plan amendment is in full force and effect, the town, through the region, will request the province remove the subject lands from the Parkway Belt West Plan and designate the lands as Urban River Valley under the Greenbelt Plan.

The effect of the changes to the text of the Plan will be to:

- Insert policies specific to the subject lands into Section 27. Exceptions related to the application of the Parkway Belt West Plan.

The effect of the changes to the schedules of the Plan will be to:

- Redesignate subject lands along the Fourteen Mile Creek valley as Natural Area and Parks and Open Space subject to an exception and an overlay related to the Parkway Belt West Plan on Schedule H - West Land Use.

B. Background

- Council adopted the Livable Oakville plan on June 22, 2009. Halton Region then approved the Plan, with modifications, on November 30, 2009, as it was deemed to conform to the Growth Plan, to be consistent with the Provincial Policy Statement, 2005 and the Region of Halton Official Plan, as amended, including what was, at the time, the proposed ROPA 38. Several parties appealed that regional approval decision.
- Following the resolution of a majority of the appeals, the Ontario Municipal Board approved the Plan with further modifications on May 10, 2011. Throughout 2012, the Board approved additional modifications to resolve outstanding site-specific appeals.
- The Plan is in force except for 18 outstanding site-specific appeals, 2 to the Livable Oakville Plan (OMB Case No. PL100058) and 16 to OPA 4 (OMB Case No. PL140317), none of which apply to the subject lands.

C. Basis

- The Region of Halton Official Plan and the Livable Oakville Plan identify the subject lands within the Provincial Parkway Belt West Plan.
- In anticipation of the eventual removal of these lands from the Parkway Belt West Plan by the Province, the Region of Halton Official Plan further identifies the subject lands as Regional Natural Heritage System and Urban Area.
- The Livable Oakville Plan designates the subject lands as Parkway Belt on Schedule H, West Land Use. These lands are subject to the Parkway Belt West policies in Part D of the Plan.
- Specific to the subject lands, on February 10, 2014, Oakville Council passed a motion requesting the following:
 - That the region endorse the addition of the publicly-owned natural heritage lands as well as publicly-owned valley lands and town parks, generally south of Upper Middle Road to QEW, to the Greenbelt Plan.
 - That the region request the province to include these lands within the Greenbelt Plan; and
 - That if necessary to ensure the full protection of the lands within the Greenbelt Plan, the province be requested to remove the Parkway Belt West Plan from these public lands.

- Further to the subject lands, on April 8, 2015, Council passed the following resolution:
 - *“Natural Heritage System Expansion - That staff be directed to schedule a public meeting as soon as possible to consider an official plan amendment which would designate the publicly owned lands in the Merton Study area with the appropriate natural heritage designation, thereby ensuring that the town does not lose the opportunity afforded by the ten year review of the Greenbelt Plan.”*
- Local municipalities are required to implement the Region of Halton Official Plan. In anticipation of the removal of the subject lands from the Parkway Belt West Plan, underlying land use designations are proposed through this Official Plan Amendments for the subject lands to ensure their protection.
- The proposed Official Plan Amendment is in accordance with the direction given by Oakville Council.
- The statutory public meeting and the recommendation report meeting on the proposed Official Plan Amendment were held on June 15, 2015.
- Notification of the statutory public meeting and recommendation report meeting was given to the agencies and public bodies prescribed by the *Planning Act* and published in the local newspaper.
- The proposed Official Plan Amendment was made available at Town Hall in the Planning Services department and posted to the town’s website (www.oakville.ca) for the prescribed period in accordance with the *Planning Act* prior to consideration by Council.

Part 2 – The Amendment

A. Text Changes

The amendment includes the changes to the text of the Livable Oakville plan listed in the following table.

Item No.	Section	Description of Change
1.	27.3 EXCEPTIONS 27.3 West Exceptions – Schedule H	<i>Insert a new section 27.3.8 as follows:</i> “The lands designated Natural Area and Parks and Open Space along the Fourteen Mile Creek valley between Upper Middle Road West to the north and the Q.E.W. to the south are within the Parkway Belt West Plan. The policies of the Parkway Belt West Plan shall govern the use of land until such time that the lands are removed from the Parkway Belt West Plan and come under the jurisdictions of the town and this Plan.”

B. Schedule Changes

The amendment includes the changes to the schedules of the Livable Oakville plan listed in the following table.

Item No.	Schedule	Description of Change
2.	Schedule H WEST LAND USE	<i>Amend Schedule H as shown in Appendix 1 to:</i> <ul style="list-style-type: none"> - Identify the subject lands along the Fourteen Mile Creek valley as an exception. - Identify the subject lands along the Fourteen Mile Creek valley with the “Natural Area” and “Parks and Open Space” designations. - Identify the subject lands along the Fourteen Mile Creek valley with the “Parkway Belt – Overlay” designation.

APPENDIX 1
Changes to Schedules
of the Livable Oakville Plan



