

**APPENDIX VII
NORTH WEST BRAMPTON SHALE RESOURCES POLICY REVIEW REGIONAL OFFICIAL
PLAN AMENDMENT – RECOMMENDATION FOR COUNCIL ADOPTION (ROPA - 32)**

Analysis of Conformity with Provincial Plans and Policies

The 2014 Provincial Policy Statement, Growth Plan 2017, Greenbelt Plan 2017, Regional Official Plan and the City of Brampton Official Plan policies provide the framework that govern growth management and mineral aggregate resources identification in North West, Brampton.

Planning Act

The Planning Act provides the legislative framework for land use planning in Ontario. Section 2 of the Planning Act, 1990 sets out matters of provincial interest that municipal councils are required to have regard to including the protection of ecological systems, management of natural resources, and the appropriate location of growth and development. Section 3 of the Planning Act gives the Minister of the Ministry of Municipal Affairs and Housing the authority to issue policy statements on matters relating to municipal planning that, in the opinion of the Minister, are of provincial interest.

Provincial Policy Statement

The Provincial Policy Statement 2014 provides direction to municipalities on matters of provincial interest related to land use planning and development. Municipal decisions affecting planning matters are required to be consistent with the Provincial Policy Statement 2014. Relevant policy direction on growth management and the wise use of natural resources is summarized below.

Section 1.1. establishes the policy framework for managing and directing land use to achieve efficient and resilient development and land use patterns. Through this set of policies, the Region of Peel has been directed to sustain healthy, liveable and safe communities by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipality over the long-term (s.1.1.1). The Region is required to achieve this policy objective by making sufficient land available to accommodate an appropriate mix of land uses to meet projected needs for a time horizon of up to 20 years (s.1.1.2). According to the PPS 2014, settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted (s.1.1.3). Section 1.1.6 establishes policies on infrastructure and public service facilities and directs municipalities to provide these services in a coordinated, efficient and cost effective manner that considers the impacts from climate change.

In regard to the wise use and management of natural resources, section 2.5.1 of the PPS 2014 directs that mineral aggregate resources shall be protected for long term use and, where provincial information is available, deposits of mineral aggregate resources shall be identified. The policies go on to require that as much of the mineral aggregate resources as is realistically possible shall be made available as close to markets as possible (s. 2.5.2).

The Provincial Policy Statement must be read in its entirety and all relevant policies are to be applied to each situation in determining whether planning decisions are consistent with

the policy direction. The review of shale policies and recommendation to amend the Regional Official Plan has comprehensively considered the policies of the Provincial Policy Statement and represents an appropriate implementation and balancing of relevant policy direction.

The recommended Regional Official Plan Amendment, as modified, has regard for matters of provincial interest set out in the *Planning Act* and is consistent with the policy direction as provided in the Provincial Policy Statement, 2014.

Growth Plan 2019

The Growth Plan provides a framework for implementing Ontario's vision for building communities by better managing growth in the Greater Golden Horseshoe Region. The Growth Plan specifies that the majority of forecasted growth is to be directed to settlement areas and managed through integrated planning (s.2.2.1).

In addition to managing growth, the Growth Plan section 4.2.8 provides direction related to managing mineral aggregate resources, including the extraction and utilization of on-site mineral aggregate resources prior to development occurring.

In May 2019 updates to the Growth Plan policies were released. Staff have reviewed the updates in relation to the recommended amendment. The recommended Regional Official Plan Amendment, as modified conforms to the Growth Plan, 2019 policies.

A detailed analysis of the relevant Provincial Policy Statement, 2014 and Growth Plan, 2017 policies, in relation to the protection of aggregate resources and planning for growth, was undertaken by Meridian Planning and is provided in the North West Brampton Policy Area Review Study Report. The report is available on the region's website.

Greenbelt Plan 2017

The Greenbelt Plan, together with the Oak Ridges Moraine Conservation Plan and the Niagara Escarpment Plan, identifies where urbanization should not occur in order to provide permanent protection to the agricultural land base and the ecological and hydrological features, areas and functions occurring on this landscape. While the Greenbelt Plan allows for extraction in the Protected Countryside designation, new mineral aggregate operations are not permitted in the prescribed key natural heritage features and key hydrologic features.

The recommended Regional Official Plan Amendment, as modified conforms to the Greenbelt Plan 2017 policies.

Region of Peel Official Plan

The Region of Peel Official Plan contains policies which apply to the North West Brampton Urban Development Area. The policies in section 5.3.4.2 establish that the 2031 population, household and employment forecasts for the City of Brampton in Table 3 contemplate that the two remaining secondary plan areas in North West Brampton will be planned to be built out by 2031, subject to policy 5.3.4.2.2, in a manner that is in conformity with Policy 5.5.4.2.2 and all other applicable policies of this Plan. In anticipation of the lands being planned for development, the Region of Peel Official Plan section 5.3.4.2.2 f) includes policy direction and criteria to be considered following the expiry of the 10-year moratorium

on development in North West Brampton, which was established in 2006 and which expired on December 16, 2016.

The study findings, planning opinion and recommendation to remove shale protection have fully addressed the factors to be considered in accordance with policy 5.3.4.2.2 f) v) of the Regional Official Plan. It is recommended that the current Regional Official Plan policies be amended to provide a more appropriate framework for managing growth in North West Brampton.

City of Brampton Official Plan

Section 4.15 of the City of Brampton Official Plan establishes a framework for planning in the North West Brampton Urban Development Area. The Brampton Plan states that the North West Brampton Urban Development Area is planned to be a compact, complete and connected community. The plan sets out six stages of planning approvals that must be realized (s.4.15.2). Stages 2 and 3 respectively include the establishment of general land use designations in the Official Plan once a Natural Heritage System for North West Brampton has been determined through approved subwatershed studies and the adoption of a secondary plan containing environmental protection strategies based on approved subwatershed studies. The secondary planning for this area is currently underway. The policies in section 4.15.4 further implement the Regional Official Plan direction to provide for the protection and potential use of shale resources in advance of urban uses.

Conclusion

A detailed review of all applicable Provincial, regional and local policies related to the North West Brampton Shale Resources Policy Review was completed through the Regional Official Plan Amendment process, particularly through the completion of the background studies, consultation and development of the recommended Amendment for adoption. On the basis of this review it was determined that the development of urban uses in the North West Brampton Urban Development Area is in the greater long-term public interest than protecting these same lands for shale extraction. The recommended amendment that would delete shale protection policies and replace them with policies that allow for urban uses within the North West Brampton Urban Development Area is consistent with matters of provincial interest as identified in the Planning Act, Provincial Policy Statement, Growth Plan and Greenbelt Plan.