



## Committee of the Whole

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**Meeting Date:** October 9, 2018

**Submitted by:** Durk Vanderwerff, Director of Planning; and Chris Traini, County Engineer

**SUBJECT:** COUNTY OFFICIAL PLAN TRANSPORTATION POLICIES

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### **BACKGROUND:**

The County Official Plan sets out a vision for land use and development within Middlesex County and is intended to reflect the long-term goals and priorities of the County. A strong and efficient Transportation System has been a key long-term priority of Middlesex County and therefore represents an important component of the County's Official Plan.

This report examines the Transportation System policies found in Section 2.4.2 of the Official Plan, recommends preliminary changes to the Transportation System policies, and seeks Council's direction on one matter ahead of a formal amendment to the County Plan being considered. The analysis is based upon a three-part review process, being: (1) consistency with the Provincial Policy Statement, (2) Internal Review, and (3) Agency / Public Review.

### **ANALYSIS:**

#### (1) Consistency with the PPS

Consistency with the Provincial Policy Statement (PPS) is a key consideration during the review of an Official Plan as the Planning Act requires that all planning decisions shall be consistent with the PPS. The existing Official Plan policies largely reflect the transportation policies contained within the 2005 PPS. Since then, the Province has introduced more robust policies supporting active and healthy communities and the protection of corridors for the movement of goods within the 2014 PPS.

In particular, the 2014 PPS introduced policies in support of active transportation, coordination between municipalities and other levels of government relative to planning for infrastructure such as trails and transit, recognizes additional elements to healthy communities such as community design and planning for all ages, strengthens the protection for provincially planned transportation corridors, and promotes land use compatibility for lands adjacent to planned and existing corridors.

The 2014 PPS defines the term 'transportation system' as a "*system consisting of facilities, corridors, and rights-of-way for the movement of people and goods including transit stops, sidewalks, cycle lanes, bus lanes, etc. and associated facilities such as storage and maintenance*".

Planning staff have reviewed the existing transportation policies and determined that several changes to transportation policies of the County Official Plan would provide greater consistency with the PPS:

- Include additional support for active transportation modes / healthy communities,
- Include additional support for a variety of transportation modes for all road users,
- Include additional direction regarding the protection of transportation corridors,
- Amend the policy respecting abandoned rail corridors to encourage public ownership, and,
- Incorporate a 'transportation system' approach to the transportation policies.

## (2) Internal Review

Planning and Engineering Staff have identified six policy issues as having priority for review.

### a) Road Widening

The Planning Act empowers municipalities to acquire land for road widening purposes as a condition of certain land use planning approvals provided the road to be widened and the extent of the widening is described in an Official Plan. The County Official Plan, through the use of policy text and a map schedule, identifies the County Roads and their required right-of-way widths.

Where land is subject to one of three types of applications (consent to sever, subdivision / condominium, or site-plan), and fronts on a County Road with a right-of-way less than required, a dedication of land may be taken by the County for road widening purposes. The purpose of obtaining the necessary road widening is to accommodate any future road works, utility needs and to accommodate and maintain bridges, ditches, culverts and other road infrastructure.

Obtaining land dedications through the planning process reduces taxpayer costs related to the purchase of land to accommodate future road works and is widely excepted within the Ontario planning framework. Further, the increased separation of buildings and structures on private property associated with widenings benefit the County relative to road construction and maintenance costs.

Staff recommend that the Official Plan be amended to include specific language that states that a road widening may be taken from both 'severed' and 'retained' parcel created by way of a consent application. This practice is common in many municipalities, including some within the County, however it has not been the practice of Middlesex County where widening is only taken from the 'severed' parcel. Although the existing wording is sufficient to allow this already, it would be helpful to specify this in policy.

It is noted that while road widenings are typically taken equally from both sides of the road as measured from the centerline of the constructed road, in some cases an exception to this practice may be required due to site specific circumstances including the geometry of the road, existing structures, etc. For example, the County would not take ownership of part of an existing home that had been constructed in the area that normally would be dedicated for road widening.

#### b) Single Access Communities

Single access communities may be described as a residential area that has only one shared vehicular entrance and exit. These can include entire developments (such as condominium communities), or portions of development (such as a plan of subdivision incorporating cul-de-sacs). While single access communities have always existed, the traditional grid street layout has limited their presence.

A number of concerns have been identified with single access communities and County Council has previously directed that staff examine the issue. Some of the concerns identified include:

- Access may be more easily impeded during an emergency if there is only one shared entrance / exit,
- A shared single entrance may negatively impact emergency services relative to the distance that a patient may be transported on a stretcher, the distance to access water and equipment, and potential for quick access in the event of a barricaded person,
- Utility repairs and upgrades may be more difficult to undertake and may have more impact if located under a shared single entrance / exit,
- Many single access communities (usually condominiums) are designed to a reduced standard which can also impeded access and the ability for larger vehicles to turn around,

- Many single access communities have limited on-street parking which may be problematic to during special events, and
- Maintenance and safety of 'secondary' emergency only access points may be problematic.

In addition to the emergency response concerns associated with single access communities, such communities have also come to be viewed as a design that impedes both social interaction and physical activity as it encourages the reliance on vehicles.

Accordingly, staff have recommended a number of policy amendments to the Official Plan to further encourage development patterns based on a grid, modified grid or fused grid pattern, for the purpose of promoting community design that is safe and that facilitates both physical activity and social interaction.

#### c) Roundabouts

While roundabouts are a relatively new type of intersection control to be considered within Middlesex County, they are increasing in popularity in many areas across the Province. They are being constructed to provide intersection control along both local and regional roads.

There are a number of benefits roundabouts have over traditional intersections, the most compelling of which is their improvement to road safety achieved through the reduction in traffic speeds and contact points between vehicles and the virtual elimination of left-hand, right-angle (T bone) and head-on crashes. Other benefits to roundabouts include: providing for higher volumes of traffic; shorter traffic stops and delays; less air and noise pollution; and, lower maintenance costs.

That being said, there are three common disadvantages associated with roundabouts, being the initial high cost of construction, the potential for a larger footprint than a typical four-way intersection, and additional design work required to accommodate a full range of transportation modes, including farm vehicles, cyclists and pedestrians.

Staff have proposed several amendments to the Transportation Policies that provides direction on when improvements to County Road intersections may include traffic efficiency and safety measures, including roundabouts. The County Official Plan will continue to defer to the local municipality with respect to the preferred method of intersection control along local roads. Staff have also recommended additional wording within the Transportation Policies to generally encourage the consideration of safety for all road users in road design.

d) Alternative transportation modes, mobile technologies, energy efficiency

Alternative transportation modes, including electric and self-driving vehicles and buses have the potential to fundamentally disrupt our current 'car-centric' principals of land use planning and design. While these transportation modes may seem something for the distant future, the 'distant' future may actually fall within the current 20 year land use planning horizon. Therefore, it is important to contemplate how the existing planning policies could work to encourage or discourage alternative modes of transportation.

Accordingly, staff have reviewed the existing transportation policies for the purpose of identifying opportunities to encourage both active transportation modes (walking and cycling) and facilities to support energy efficient active and alternative modes of transportation both at the County and local level.

e) Development in Proximity to Railway Operations

It is noted that as part of the review of the County Official Plan being undertaken by GSP Group it has been identified that the Railway Association of Canada and the Federation of Canadian Municipalities prepared a guide for new development in proximity to railways. The guidelines propose building setbacks, noise and vibration influence areas, security fencing and warning clause guidelines. The guidelines provide standard recommendations that will be provided by the applicable railway operator when consulted on a development application. It is however noted that while there is no legislation requiring the inclusion within an official plan of the guidelines, it appears to be a best practice that was developed by municipalities and the railway operators.

f) Additional Policy Considerations / Clarifications

Staff have recommended a number of changes to the existing wording and organization of the Transportation Policies to clarify that the intent of the policies is to apply all transportation networks and facilities at both the local and County level.

### (3) Agency Review

Through the agency consultation process, the Middlesex-London Health Unit has provided written submissions related to the transportation policies of the County Official Plan. The Health Unit's interest in transportation policies is based upon their underlying mandate to support improved community health and sustainability.

The submission provided by the Health Unit states that "well designed built environments can have positive impacts on human health". As land use planning policies influence how people interact with the built environment, such policies influence community and human health. Accordingly, the Health Unit provided a number of recommendations related to the promotion of active transportation and transportation facilities that support all road users in age and ability.

Many of the policy amendments and additions recommended by the Health Unit have been incorporated directly and indirectly into the proposed Official Plan wording, particularly the recommendations promoting active transportation and transportation facilities for all road users. In addition, staff have recommended the inclusion of some general policies encouraging the consideration of health and safety of all road users during road and community design.

#### Interim Practice – Road Widening from Severed and Retained Lands

There is one area where staff would like to seek Council's direction now by way of a motion, ahead of formally considering changes to the Official Plan. As outlined above, the Planning Act empowers municipalities to acquire land for road widening purposes as a condition of certain land use planning approvals. The County has traditionally only taken road widening from the 'severed' parcel and it is recommended that the Official Plan be updated to specify that road widening may be taken from both 'severed' and 'retained' parcels created by way of a consent application.

Staff are of the opinion that the wording of the existing Official Plan gives the County the authority to take road widening from both 'severed' and 'retained' parcels. However, this has not been the practice of the County. As such, staff would seek a motion of County Council indicating that it is Council's intention that road widening may be taken from both 'severed' and 'retained' parcels from this point forward.

#### Proposed Amendments

A copy of the proposed amendments to County Plan are attached in a 'track-change version' excerpt of Section 2.4.2 the Official Plan. The purpose of this report is to provide County Council an opportunity to review the proposed amendments to the Transportation Section of the County Official Plan, and to provide feedback on the proposed amendments. Any feedback received will assist staff to further refine the changes to the Official Plan for future consideration by Council.

#### **RECOMMENDATION**

That the County Official Plan Transportation Policies Report be received, and

That, in addition to all other circumstances permitted under the Planning Act, the County of Middlesex require as a condition of consent the dedication of lands for road widening purposes from both the land to be severed and the lands to be retained.

Attachment

## MIDDLESEX COUNTY OFFICIAL PLAN

Where new development is proposed on a site part of which is identified as a Natural Heritage Feature in the Plan, then such Feature shall not necessarily be acceptable as part of the dedication for park purposes required under the Planning Act. Where an open water course is dedicated to the municipality adequate space shall be provided for maintenance operations.

### 2.3.11 Natural Hazards

No buildings or structures, nor the placing or removal of fill of any kind whether originating on the site or elsewhere, nor grading shall be permitted in an area subject to the Conservation Authorities Fill, Construction and Alteration to Waterways Regulations, except where such buildings, structures or fill are intended for flood or erosion control or maintenance and management of the natural environment, recreational purposes or non-residential accessory farm buildings such as a sugar shack; and are approved by the County and the Conservation Authority. Remedial works required to stabilize slopes adjacent to river and stream systems will require written approval from the Conservation Authority having jurisdiction.

## 2.4 PHYSICAL SERVICE & UTILITIES

### 2.4.1 Introduction

Physical Services and Utilities is the third theme area of the Official Plan Policy Framework. These policies include the supply and distribution of water, the collection and disposal of sewage, the disposal of solid waste, electric power transmission lines and transportation networks. While the County only has authority over County Roads, it recognizes the importance of the other facilities and systems to serve daily activity and future growth and development.

The policy framework for physical services and utilities focuses on ensuring that the necessary physical services and facilities are available throughout the County, in order to accommodate future growth and development, while ensuring that the provision of such services and utilities is in keeping with the policies of Resource Management and Growth Management found in Sections 2.2 and 2.3.

### 2.4.2 Transportation ~~Network System~~

#### ~~2.4.2.1 Transportation Hierarchy~~

The ~~Transportation System network within the County~~ includes a ~~system network~~ of roads, highways, ~~bikeways and trails, sidewalks, and railways and supporting infrastructure~~ that ~~are is~~ owned and operated by ~~various authorities, including~~ the Federal Government, the Province, the County, local municipalities, ~~the~~ public and private agencies. ~~Schedule "B" shows the County Transportation Network.~~

The County encourages the development and maintenance of a sustainable, interconnected and energy efficient transportation system that supports a variety of transportation modes.

## MIDDLESEX COUNTY OFFICIAL PLAN

The County recognizes the important role active transportation has in promoting opportunities for physical activity and cost effective travel for its residents and visitors alike.

The County Road system provides inter-municipal service moving people and goods throughout the County. There is a need to plan the transportation network and specifically the County Road system in order to protect rights-of-way for future improvements and to recognize that there is a strong relationship between transportation and urban form.

### 2.4.2.2 ***Transportation Hierarchy***

#### **Classification of Roads**

All roads within the County can be classified as follows:

- provincial freeways and highways;
- county roads; and
- local municipal roads; and
- private roads

#### a) **Provincial Freeways and Highways**

Provincial Highways 401 & 402 are limited access freeways that traverse Middlesex County. They provide for the needs of high volume traffic and link the major market areas between the United States, Southern Ontario and Quebec.

Provincial Highways 4, 7, and 23, generally serve as arterial roads. Therefore, direct private access to such highways should be avoided. Any access to such highways will require the approval of the Province.

#### b) **County Roads**

Schedule "B" of the County Official Plan shows the County Road Network, including rail lines, and describes their functional classification. The location of the County Road Network shall also be identified within the Official Plan of a local municipality.

The County Road Network, as show on Schedule 'B', provides for the efficient movement of traffic between provincial freeways and highways and municipal roads throughout the County and to surrounding Municipalities. There is a need to plan the transportation system, including the County Road Network in order to protect rights-of-way for future improvements and to recognize that there is a strong relationship between transportation and built form.

## MIDDLESEX COUNTY OFFICIAL PLAN

County roads generally function as arterial or collector roads and direct private access is controlled through By-law #5783, as amended, for the County of Middlesex. The County road system provides for the efficient movement of traffic between provincial freeways and highways and local roads. The County shall discourage development which would inhibit traffic movement along the County road system Road Network. The cumulative impact of individual private accesses to the County Road system Network compromises the underlying function of this transportation network.

The nature of road traffic along County roads can have an impact on adjacent land uses. The volumes, speeds and types of traffic can be a nuisance especially in residential areas. On County arterial roads, where speeds and volumes are higher, mitigating measures that attenuate noise and vibration factors shall be utilized may be required. For high volume arterial roads, access shall be strictly controlled and where such roads abut residential areas, reverse frontage (back lotting) is encouraged. Incompatible land uses shall be discouraged along County arterial roads. Agricultural, industrial, commercial and open space land uses are considered to be the most appropriate land uses adjacent to arterial County roads.

Where two County arterial roads intersect, there is a higher probability of land dedication for the purpose of traffic efficiency and safety measures, such as daylight corners, traffic signalization, and roundabouts.

### c) Local Municipal Roads

Local Municipal roads are under the jurisdiction of local municipalities. Based on the volumes, types and nature of the traffic, municipal roads may be classified as arterial, collector or local roads in the official plan of a local municipality. roads move traffic from arterial and collector roads to abutting properties. Local roads are generally under the authority of local municipalities. Transportation policies should be included in local official plans to protect the integrity of the local municipality=s transportation network system and should reflect the goals and policies noted herein. Based on the volumes, types, and nature of the traffic, municipal roads may be classified as arterial, collector or local roads in the local official plan.

### d) Private Roads

Private roads are wholly located on private property for the benefit of providing access to a single user or multiple users. Such roads remain subject to the design, construction and maintenance standards, policies and regulations of the local municipality.

**MIDDLESEX COUNTY OFFICIAL PLAN**

As a first priority, development shall be located with frontage along a public road. Development that will result in the construction, maintenance, or use of a private road may be considered based on an evaluation of the proposal based on the following:

- site characteristics, including size, configuration, and topography;
- feasibility of alternative access solutions;
- potential impact on traffic;
- potential impact on road network;
- servicing by local emergency services; and,
- compatibility with surrounding areas.

**2.4.2.3 General Policies**

The County shall:

- a) Minimize conflict between local and non-local traffic by defining a hierarchy of roads within the County. This hierarchy shall support the Growth Management policies established in Section 2.3;
- b) Allocate resources to ensure the transportation system meets the needs of the all road users and growth policies of the County;
- c) Encourage integration of transportation facilities infrastructure provided by local municipalities, adjacent municipalities and the Province;
- d) Encourage an integrated transportation system that supports a variety of safe, sustainable and energy efficient modes of transportation;
- e) Review road transportation corridors, in consultation with local municipalities and the Province, to determine if a change in classification is necessary. Transfer of road jurisdiction to the County shall not require an amendment to the Plan. Where a municipal road is assumed by the County, such road is to be classified as a 'collector road' or an 'arterial road' within the corresponding assumption by-law;
- e)f) Encourage safe, convenient and visually appealing pedestrian and cycling facilities in Settlement Areas infrastructure;
- f)g) Limit direct vehicular access to County Roads where access is available by a local road;
- g)h) Ensure that development proposals that are likely to generate a significant traffic impact are accompanied by a transportation study an Engineering Report addressing the potential impact on the transportation network system and surrounding land uses to the satisfaction of the County and the local municipality;
- i) Where an Engineer's Report completed in support of a development proposal identifies a need for transportation improvements, such improvements shall be

**MIDDLESEX COUNTY OFFICIAL PLAN**

at the expense of the development proponent:

- h)j) Encourage the conversion of preservation and reuse of abandoned railway rights-of-way back to private ownership or to other appropriate public uses; corridors for a purpose that maintains the corridor's integrity and continuous linear characteristics, where feasible, including but not limited to active transportation opportunities;
- h)k) Ensure where possible, compatible land uses adjacent to railway corridors and rail terminal facilities. New development may be required to provide appropriate safety measures such as setbacks, intervening berms, security fencing and noise and vibration studies satisfactory to the local municipality and in consultation with the railway company; and authority having jurisdiction;
- l) The layout of all new residential developments shall provide a minimum of two access points to the existing road network. Exceptions to this policy shall be considered if the proposed street pattern is approved by the local Municipality, emergency service provider(s) and the County Engineer, where applicable; and.
- l)m) Address the matter of cross boundary traffic with the City of London, adjacent Counties and municipalities by establishing a planned network of roads which considers and coordinates the road hierarchy across municipal boundaries.

#### **2.4.2.4 County Roads Right-of-Way Widths**

The following County Road minimum rights-of-way widths shall apply:

- |    |   |                             |
|----|---|-----------------------------|
| a) | Arterial roads  | 36-metre right-of-way width |
| b) | Collector roads   | 30-metre right-of-way width |
| c) | Arterial roads constructed to an urban standard* within Settlement Areas  | 30-metre right-of-way width |
| d) | Collector roads constructed to an urban standard* within Settlement Areas | 26-metre right-of-way width |

\* Urban standard shall, in this case, be defined as a road constructed to include curbs, gutters and an underground stormwater collection system.

Where road right-of-way widths are less than those described above, the County may require, as a condition of consent as per Section 4.5.3 of the County Official Plan, the dedication of lands for road widening purposes from both the land to be severed and the lands to be retained. In addition, road widenings may be required as a condition of development pursuant to Section 41 of the Planning Act and Section 4.5.2 and 4.5.1

**MIDDLESEX COUNTY OFFICIAL PLAN**

of this Plan. ~~Right-of-way widths as described above are the largest widenings that may be obtained as a condition of development.~~ Where County roads ~~Road~~ rights-of-way are less than those described, widenings may be taken equally from both sides of the road as measured from the centre line of the ~~original road allowance constructed road.~~ Where topographical features or other situations necessitate a larger widening on one side, no more than 50% of the required widening shall be required through site plan control.

In addition to requiring road widenings to secure the minimum right-of-way widths, the County may require road widenings as a condition of development approval at County roads, turning lanes, daylighting triangles, channelization and locations for traffic control devices.

**2.4.2.5 County Road Setbacks**

Generally, the following minimum setbacks shall apply where a building or structure is to be erected on a lot adjacent to a County road:

- a) arterial roads collector 38 metres from the centre line
- b) roads 33 metres from the centre line
- c) arterial and collector roads ~~located within urban, community and Settlement Areas and locally designated hamlets in agricultural areas~~ setback requirement stipulated in the local zoning by-law
- d) open storage on a lot which abuts or fronts on a County road setback shall be equal to the main building setback on the lot stipulated in the local zoning by-law

**2.4.2.6 Access to County Roads**

Access to any County road shall require the approval of the County ~~Roads Department Engineer~~ and ~~will shall~~ be subject to By-law #5783, ~~as amended,~~ of the County of Middlesex for access permits. The location of access driveways ~~should shall~~ not create a traffic hazard due to concealment by a curve, grade or other visual obstructions. Access driveways ~~should shall~~ be limited in number and designed to minimize the danger to ~~vehicular and pedestrian traffic~~ all road users in the vicinity.

In order to maintain an effective and efficient transportation ~~network system~~, access to ~~county~~ County roads ~~will shall~~ be strictly enforced. In this regard, any new development ~~or significant redevelopment~~ proposed adjacent to, ~~or in close proximity to a county~~ County road ~~will shall~~ require the approval of the County ~~Roads Department Engineer~~.

**2.4.2.6 *Development in Proximity to Railway Operations***

The Railway Association of Canada and the Federation of Canadian Municipalities prepared Guidelines for New Development in Proximity to Railway Operations. The guidelines propose building setbacks, noise and vibration influence areas, security fencing and warning clause guidelines. Local municipalities are encouraged to implement the Guidelines for New Development in Proximity to Railway Operations, as amended, within official plans and zoning by-laws.

**2.4.3 *Communication and Transmission Infrastructure***

The location of communication and transmission infrastructure can have a significant impact on the Natural System as well as the built environment. It is important that these facilities be designed and located to minimize negative impacts wherever possible.

**2.4.3.1 *General Policies***

The County shall:

- a) Cooperate with local municipalities, the business community and other agencies to establish high quality electronic communication networks including fibre optics, and telecommunications;
- b) Ensure all communication corridors and transmission facilities are constructed, either above ground or underground to minimize the physical, visual and social impacts on the community and natural environment;
- c) Ensure, where possible, shared rights-of-way and/or existing transportation and utility corridors shall be used in order to reduce impacts on the community and natural environment;
- d) Ensure facilities are located to avoid the Natural System, where possible, and minimize the impact on Agricultural Areas. Where facilities must be located in these areas, consideration shall be given to the environmental implications associated with the development;
- e) Ensure that in Settlement Areas facilities are located underground or constructed with aesthetically pleasing towers;
- f) Encourage construction of facilities to be timed to minimize crop losses;
- g) Ensure the crossing of County Roads or road rights-of-way are approved by the County;
- h) Be assured that the necessary facilities will be provided in a timely fashion prior to approval of any development. The cost of extending services will be the responsibility of the developer;