

Clause No. 10 in Report No. 2 of the Planning and Economic Development Committee was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting on February 21, 2008.

10

REGIONAL GREENBELT CONFORMITY PROCESS

The Planning and Economic Development Committee recommends the adoption of the recommendations contained in the following report dated January 17, 2008, from the Commissioner of Planning and Development Services:

1. RECOMMENDATIONS

It is recommended that:

1. The preliminary work plan for Greenbelt Conformity described in this report and in *Attachment 2* be endorsed by Regional Council.
2. The Regional Clerk distribute this report and attachments to the local municipalities and the Ministry of Municipal Affairs and Housing.

2. PURPOSE

This report introduces a preliminary work plan to bring the Regional Official Plan into conformity with the Provincial Greenbelt Plan as part of the Region's Growth Management initiative.

3. BACKGROUND

The Provincial Greenbelt Plan was released in February 2005. Section 7 of the Greenbelt Plan requires municipal decisions under the *Planning Act* to conform to the Greenbelt Plan. Section 9 requires that municipal planning documents be amended to bring them into conformity with the Provincial Plan. This is a similar legislative requirement as the Oak Ridges Moraine Conservation Plan and as such the opportunities for flexibility from the Greenbelt provisions are similarly constrained.

There is no mandated deadline for adoption of a conformity amendment; however the Province anticipates that such amendments will be undertaken as part of normal 5-year Official Plan reviews. Regional Greenbelt Conformity work was built in to the overall Regional Growth Management work program and public engagement process and many of the activities on-going support the Greenbelt Conformity effort. A conformity amendment for the Greenbelt Plan and all other Growth Management initiatives are required to proceed through the normal planning process, which may include the potential for appeal of Regional Council's decision to the Ontario Municipal Board.

Regional staff has undertaken a preliminary review of the Regional Official Plan and while the majority of the policies remain valid, having stood the test of time since the Regional Plan was approved, a number of policies and maps require updates to achieve conformity with the Greenbelt Plan.

4. ANALYSIS AND OPTIONS

Within the Region of York, the Greenbelt Plan covers lands within the Oak Ridges Moraine (which remain subject to the policies of the Oak Ridges Moraine Conservation Plan and Regional and local conformity amendments) and lands designated as Protected Countryside. Approximately 69% of York Region is subject to the various policies for the Greenbelt Plan's Protected Countryside designation and the Oak Ridges Moraine Conservation Plan policies. Previous reports to Committee and Council have identified the detailed policies of the Greenbelt Plan.

4.1 Three Policy Areas in the Greenbelt Plan

Within the Protected Countryside designation are three policy systems – the Agricultural System, the Natural System and Settlement Areas.

The **Agricultural System** is composed of Prime agricultural lands generally identified in existing official plans, specialty-crop lands (the Holland Marsh in York Region and Simcoe County). These lands are already protected in the regional plan.

The **Natural Heritage System** is composed of natural-heritage and water-resource systems necessary to maintain biological and geological diversity, natural functions, and indigenous species and ecosystems. In York Region, the Greenbelt Natural Heritage System extends the approach already established for the Oak Ridges Moraine Conservation Plan to lands outside the Moraine and includes various natural heritage features already included in the Regional and local Official Plans and river systems, along with the adjacent valley lands of the Rouge, little Rouge Corridor, Humber and Upper West Don Rivers south of the Oak Ridges Moraine, and the Maskinonge, the Black and the Holland River systems north of the Moraine. The majority of the changes required to the ROP for these provisions are mapping changes.

Settlement Areas within the Protected Countryside include land designated as towns, villages and hamlets in official plans and documents from municipalities and the Ministry of Public Infrastructure Renewal. In York Region, Regional and local staff worked with Ministry of Municipal Affairs and Housing staff during the Greenbelt Plan preparation to have community plan boundaries of all Towns and Villages and Urban Areas and the schematic location of Hamlets recognized in the Greenbelt Plan.

4.2 Preliminary Assessment of Need for Changes to the Existing Regional Plan Policies and Mapping

Policy Changes

Rural and Agricultural Areas: Many of the existing policies of the Regional Plan, including protection of Holland Marsh speciality crop area, limiting non-agricultural uses in Agricultural Areas and directing recreation and tourism and resource-based commercial and industrial uses to Rural areas comply with the intent of Greenbelt Policies. One of the significant differences between our Plan and the Greenbelt Plan is the latter's prohibition of multiple lots for residential dwellings (such as estate residential subdivisions, adult lifestyle or retirement communities) in the Rural area. Policies permitting these uses will require deletion from the Region's plan. As well, since 1994, the Province has moved away from use of the CLI to classify identify agricultural lands, to the Land Evaluation and Area Review (LEAR) system. Undertaking a review through the newer system is recommended and will be funded from the 2008 Planning Department consulting budget. Further details on the LEAR as appended in *Attachment 1*.

Settlement Areas: Similarly, the Regional Official Plan already contains very limited potential for expansion of settlement areas into adjacent lands. Under the provisions of the Greenbelt Plan, the expansion of non greenbelt settlement areas (such as Newmarket, Aurora, Sharon, Holland Landing and Queensville) into the Greenbelt is prohibited. This prohibition will require a refinement of the existing policy framework. As well, the Greenbelt contains provisions permitting minor expansions of Greenbelt settlement areas at the 10-year review of the Greenbelt Plan (2014) providing a number of criteria area met. The addition of ROP policies outlining these provisions and criteria can be anticipated.

Natural Heritage System: The Region's Natural Heritage System update is well underway and acknowledges the need to update the system within the Greenbelt. The draft Natural Heritage System, to be developed in 2008, will incorporate the identified Greenbelt Natural heritage system with very few refinements.

Wellhead Protection: The Greenbelt Plan also requires that wellhead protection areas and vulnerable area policies and mapping be included in the Regional Official Plan. This provision is consistent with that required in the Oak Ridges Moraine Conservation Plan Area and currently approved in the Regional Official Plan. Regional staff is already well advanced with work to extend wellhead protection area designations and the policy framework off Moraine and expects to introduce a Regional Plan Amendment in spring 2008. Vulnerable Area policies are expected to be similar to policies on the Oak Ridges Moraine.

Other policy refinements and changes will be identified as the project progresses.

Mapping Changes:

Mapping changes that will be required are detailed above in terms of Provincial requirements, but additional changes may follow the LEAR assessment described above in order to refine the Agriculture/Rural land locations. Further changes will also be required to bring community plan boundaries shown in the Regional Plan into conformity with those shown in the Greenbelt Plan and to make adjustments for existing land uses (such as in the Bales Road area, where the land uses are neither Rural nor Agricultural. Other changes will be identified as work proceeds.

It can be anticipated that when the Greenbelt Plan is added, the Regional Structure Map in the ROP may ultimately resemble the State of the Environment Map *Figure 1* attached to this report.

4.3 Regional Greenbelt Conformity Work Plan Elements

Five main elements of the Region's Greenbelt Conformity Work Plan are envisioned and a number of these are already ongoing as part of the Region's growth management work.

1. Background Reviews and Ongoing Work:
 - a. Agricultural/Rural Designation Refinement
 - b. Natural Heritage System Review and Update
 - c. Wellhead Protection and Vulnerable Area Review and Update.
2. Official Plan Policy and Mapping Review.
3. Drafting of Revised Policies and Mapping.
4. Introduction of Proposed Greenbelt Conformity Amendment as part of the series of Growth Management Amendments.
5. Coordination and Consultation.

These elements are described below with timing shown on *Attachment 2*.

4.4 Coordination and Consultation

It is anticipated that once revised policy drafting and mapping has taken place, an Amendment to the Regional Official Plan will be introduced as part of the series of growth management Amendments contemplated for the fall of 2008.

Ongoing consultation will be undertaken with area municipalities and with stakeholders through the growth management initiative and as required during processing this conformity amendment.

4.5 Relationship to Vision 2026

Many of Vision 2026's goals compliment and support the *Greenbelt Act, 2005* and Plan including the action areas under Quality Communities for a Diverse Population; Enhanced Environment, Heritage and Culture; A Vibrant Economy; Managed and Balanced Growth; and, Engaged Communities and a Responsive Region.

5. FINANCIAL IMPLICATIONS

The majority of conformity work will be undertaken within the Planning Department with the assistance of other Regional departments, partner agencies and area municipalities. At the present time, the LEAR agricultural lands evaluation would be undertaken by consultants within the Planning and Economic Development Department's consultant's budget for 2008. Should the Amendment be appealed to the Ontario Municipal Board, Regional staff will report back to Committee and Council.

6. LOCAL MUNICIPAL IMPACT

Local municipalities are required to bring their plans into conformity with the Greenbelt Plan in the same manner as the Region; however, the Regional Conformity Amendment must be approved by the Province before local amendments. Regional staff will work closely with local municipal staff to ensure coordination of policies and mapping.

7. CONCLUSION

The Greenbelt Plan was approved by the Province in 2005 and requires that Regional and local plans be brought into conformity with it. There is no deadline for this conformity exercise in either the Plan or the enabling legislation.

Since the Region is currently proceeding with a larger Growth Management initiative, it is appropriate that the Regional Official Plan policies and mapping for the Greenbelt be updated at the same time to reflect the approved Greenbelt Plan.

There is little latitude for interpretation of Greenbelt policies and mapping, and the mapping exercise forms a large part of the work program. Existing Regional Plan policies will be maintained where appropriate and refined infrastructure and agricultural policies will be developed.

The preliminary work plan described in this report will fulfill the Region's statutory requirements in regard to the Greenbelt Plan conformity exercise and the timing is consistent with other growth management initiatives. The Amendment will be introduced and processed as part of the series of growth management amendments contemplated for the fall of 2008

For more information on this report, please contact Barbara Jeffrey, M.C.I.P., R.P.P., Manager Land Use Policy and Environment, Long Range and Strategic Planning Branch, at 905-830-4444 ext 1526 or barbara.jeffrey@york.ca

The Senior Management Group has reviewed this report.

(The three attachments referred to in this clause are attached to this report.)