

September 6, 2017

VIA EMAIL: regionalclerk@york.ca

Chair Emerson and Members of Council
Regional Municipality of York
17250 Yonge Street
Newmarket, Ontario
L3Y 6Z1

MGP File: 15-2384

Dear Sirs and Madames,

Re: Staff Report – COW, September 7, 2017: Draft Provincial Guidance on the Agricultural System

This letter is submitted on behalf of a number of landowners in the Region with holdings extending into the Greenbelt's stream valley system "fingers" connecting the Oak Ridges Moraine Conservation Plan lands to Settlement Area lands to the south (see Attachment 1). These were designated as "Agricultural Area" (AA – equivalent to a "prime agricultural" designation)) along with surrounding "Whitebelt" lands when the Region's Official Plan (YROP) was approved in 2010, prior to adoption and approval of ROPA's 1, 2 and 3 (see Attachment 2). The ROPA approvals replaced the AA designations with "Urban Area", but left the AA designation in place on the Greenbelt fingers. The now vestigial "agricultural" lands in these fingers will be sandwiched between the valleyland features and urban development (see examples at Attachment 3).

As such, these lands will be unable to sustain any agricultural function, which brings the purpose of the legacy AA designation into question. The question is important in that, in concert with provisions of the Greenbelt Plan, the AA designation precludes non-agricultural uses that otherwise belong in and contribute to "complete communities". Active municipal parkland and existing golf courses are the most concerning of these uses. We believe an appropriate solution lies in redesignating these AA lands to the YROP's "Rural Area" designation. This provides for a broader range of permitted uses, and resolves the conflict with provisions of the Greenbelt Plan. We will be requesting that the province revise its mapping of these lands, but the same needs to occur at the YROP level.

Request

We have reviewed the staff report on the Provincial Guidance documents, and support its recommendations. We particularly note the report's references to "highly fragmented areas, existing non-agricultural uses... and areas surrounded by a highly urbanized area" as "examples of where it may not be appropriate to redesignate rural lands to [a] prime agriculture" designation. By the same logic we would suggest that "finger" areas with these characteristics and an AA designation should be considered for redesignation from AA to the "Rural Area" designation.

We are therefore respectfully requesting that Council give additional direction to staff, to require consideration of a redesignation of lands within the fingers that are currently shown on Map 8 as "Agricultural Area" to the "Rural Area" designation. This could occur as staff completes the review of agricultural lands mapping through the Region's Municipal Comprehensive Review (MCR).

The requested direction would be inserted as a new Recommendation #2 to the Staff Report, and reads:

2. Staff be directed to:

- Review the rationale for continuing with an “Agricultural Area” designation on the YROP’s Map 8 for lands within the Greenbelt Plan “fingers” extending through or adjacent to settlement areas, as part of the renewed MCR process;
- Confirm whether a “Rural Area” designation better implements Greenbelt Plan (2017) policies that support recreational and other uses within Protected Countryside lands within the Plan area; and
- Implement the review’s conclusions through amendments to the YROP when implementing the MCR, or upon receipt of an application to amend the YROP.

Background

The remainder of this letter outlines the policy framework established in the Greenbelt Plan and the YROP as it governs the opportunity to provide for park and other recreational uses in the Greenbelt fingers at issue.

The Greenbelt Plan (2017)

The Greenbelt Plan targets provision of a range of recreational opportunities, including active parkland, as a key component of complete communities but also clearly limits their future potential locations to Rural Lands within the Plan’s Protected Countryside.

The Plan’s Vision statement includes:

The Greenbelt is a broad band of permanently protected land which:

- *Provides for a diverse range of economic and social activities associated with rural communities, agriculture, tourism, recreation and resource uses;*

In its Parkland, Open Space and Trails policies, Section 3.3.1. Description states:

A system of parklands, open spaces, water bodies and trails across the Greenbelt is necessary to provide opportunities for recreation, tourism and appreciation of cultural heritage and natural heritage. They serve as an important component of complete communities and provide important benefits to support environmental protection, improved air quality and climate change mitigation.

Section 3.3.2 Parkland, Open Space and Trails Policies states that:

The Province should, in partnership with municipalities, conservation authorities, non-government organizations and other interested parties:

1. *Encourage the development of a system of publicly accessible parkland, open space and trails where people can pursue the types of recreational activities envisaged by this Plan, and to support the connectivity of the Natural Heritage System and the achievement of complete communities in settlement areas across the Greenbelt.*

Section 3.3.3 Parkland, Open Space and Trails Strategies states that:

For all lands falling within the Protected Countryside, municipalities should:

- 1. Provide for a full range of publicly accessible, built and natural settings for recreation, including facilities, parklands, open space areas, trails and water-based activities.*
- 3. Include the following considerations in municipal parks plans and open space strategies:*
 - a) Providing for open space areas for current and future populations and promoting stewardship of open space areas;*
 - b) Providing facilities, parklands, open space areas and trails that particularly support an active, healthy community lifestyle;*
 - c) Identifying key areas or sites for the future development of major facilities that avoid sensitive landscapes;*

Notwithstanding these policy directions, the Greenbelt Plan clearly directs most active recreational uses to Rural Lands in the Protected Countryside, and away from Prime Agricultural Areas

Under its Section 4 General Policies for the Protected Countryside, the Plan's Section 4.1 Non-Agricultural Uses establishes that recreational uses are considered to be non-agricultural, to be directed to Rural Lands, and to include a range of built intensities:

The rural lands of the Protected Countryside are intended to continue to accommodate a range of commercial, industrial and institutional (including cemetery) uses serving the rural resource and agricultural sectors. They are also intended to support a range of recreation and tourism uses such as trails, parks, golf courses, bed and breakfasts and other tourism-based accommodation, serviced playing fields and campgrounds, ski hills and resorts.

Section 4.1.1 General Non-Agricultural Use Policies is very clear in not permitting such uses in prime agricultural areas:

For non-agricultural uses, the following policies apply:

- 1. Non-agricultural uses are not permitted in the specialty crop areas as shown on Schedule 2 and Schedule 3 of this Plan or within prime agricultural areas in the Protected Countryside, with the exception of those uses permitted under sections 4.2 to 4.6 of this Plan. [These do not include recreational uses.]*

Finally, the Greenbelt Plan also makes it clear that official plans are the documents to be relied upon in identifying Prime Agricultural Areas and Rural Lands. The Plan's Section 1.4.2 Structure of the Plan and Section 1.4.3 How to Use this Plan identify that reliance, and direct the reader to official plans to determine the relevant designation.

Draft Provincial Guidance Documents and the YROP

As noted by staff, the Draft Provincial Guidance on Agricultural System mapping adopts municipal mapping of prime agricultural areas and identifies potential additional areas. The intention is that mapping of the Agricultural System will be finalized through a collaborative approach between OMAFRA and region staff. This will integrate staff knowledge of agricultural areas impacted by adjacent urban

land uses in determining whether changes are required to the YROP's Map 8 (Agricultural and Rural Area) to support implementation of the Greenbelt Plan.

Summary

The Greenbelt Plan envisions a range of active recreational uses, including municipal parkland, within the Greenbelt. At the same time it directs such non-agricultural uses away from prime agricultural areas – those designated Agricultural Area in the YROP. It is our submission that the Greenbelt fingers subject of this letter clearly represent fragmented areas that will be surrounded by urbanization. They cannot make any effective contribution to the larger Agricultural System, and, in our opinion, warrant redesignating from the current Agricultural Area to Rural Area in the YROP to permit the range of recreational uses required to support new complete communities. Our proposed addition to the set of recommendations in the subject staff report would give effect to this direction.

Yours very truly,

MALONE GIVEN PARSONS LTD.



John P. Genest, MCIP, RPP, PLE

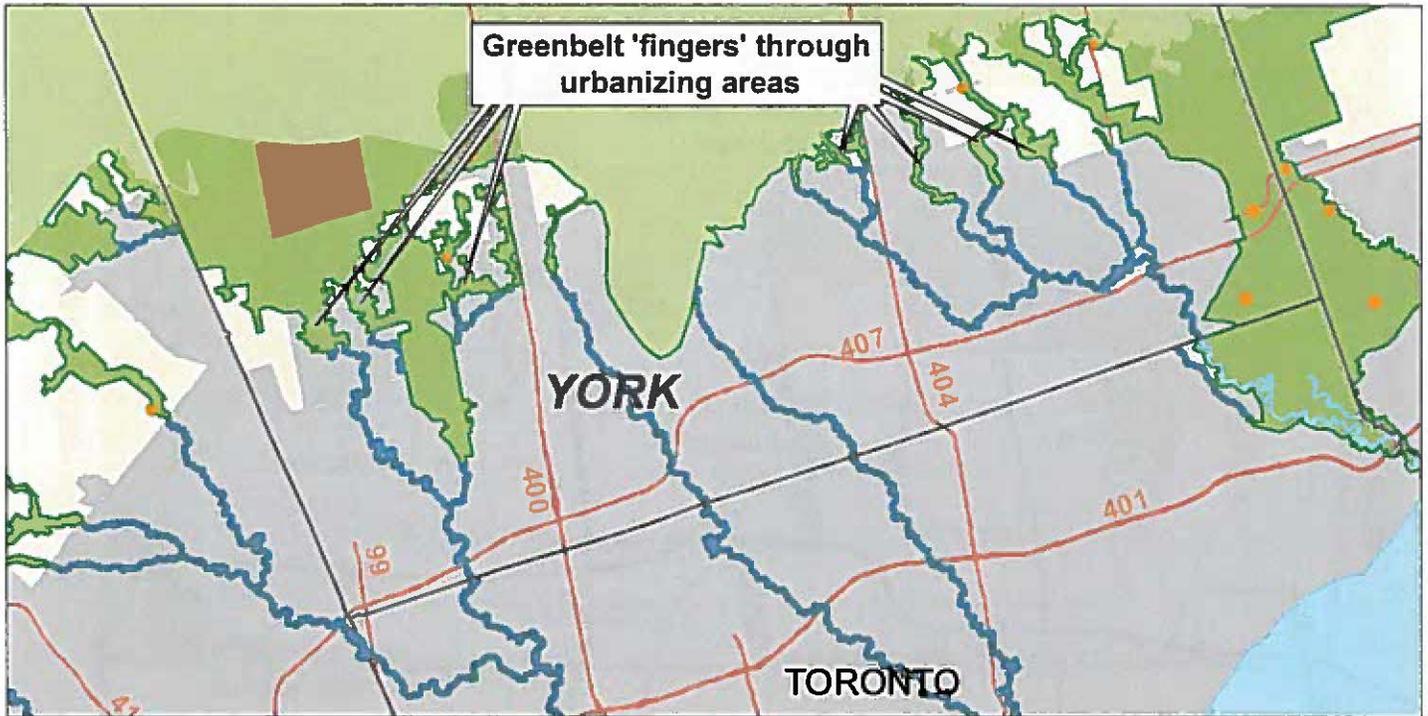
Principal

jgenest@mgp.ca

cc. Sandra Malcic, Manager, Policy and Environment, York Region
Valerie Shuttleworth, Chief Planner, York Region
Silvio DeGasperis, TACC Developments
Jack Eisenberger, Fieldgate Developments
North Markham Landowners Group
Angus Glen Landowners Group
Robinson Glen Landowners
Block 41 Landowners Group

Attachments:

1. Excerpt from Schedule 1 of the Greenbelt Plan, 2017.
2. Excerpt from Map 8 of the YROP.
3. Examples of Legacy "Agricultural Area" Lands within the Greenbelt in Urbanizing Areas



Excerpt from

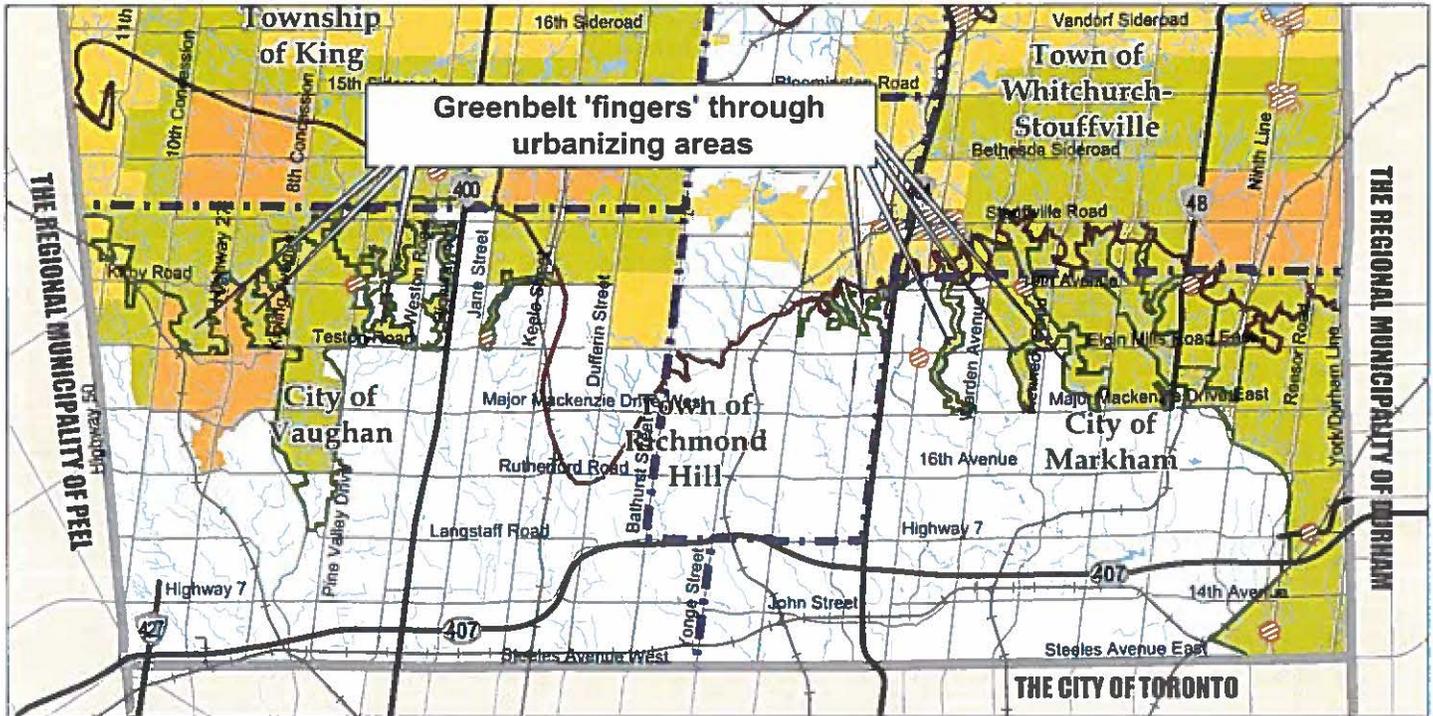
greenbelt

PLAN 2017

Schedule 1: Greenbelt Area

-  Greenbelt Area*
-  Protected Countryside
-  Towns / Villages
-  Hamlets
-  Urban River Valleys
-  Niagara Escarpment Plan Area
-  Oak Ridges Moraine Area
-  External Connections
-  Settlement Areas Outside the Greenbelt
-  Upper and Single-Tier Municipal Boundaries
-  Road or Highway
-  F.N. First Nations

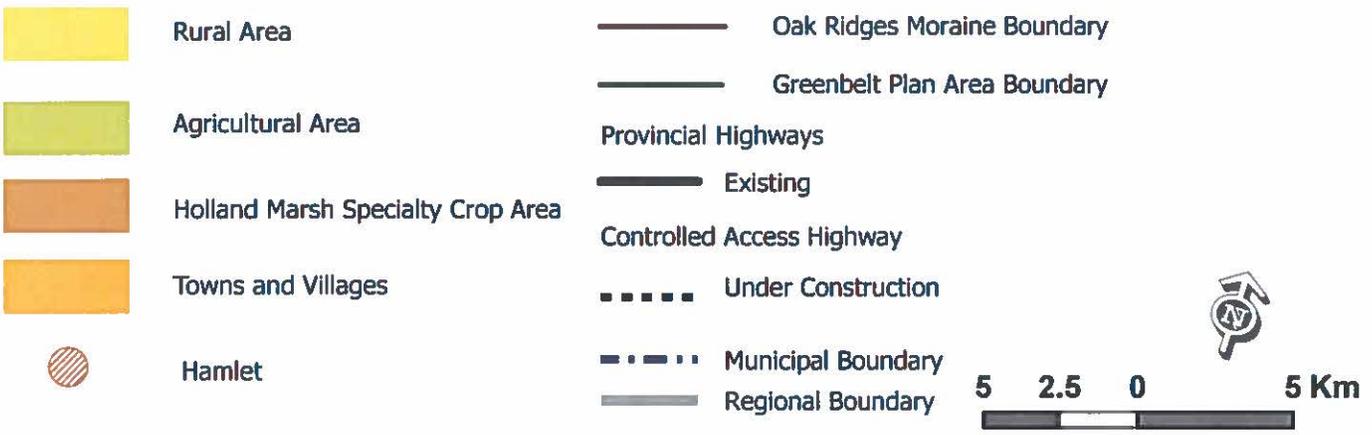


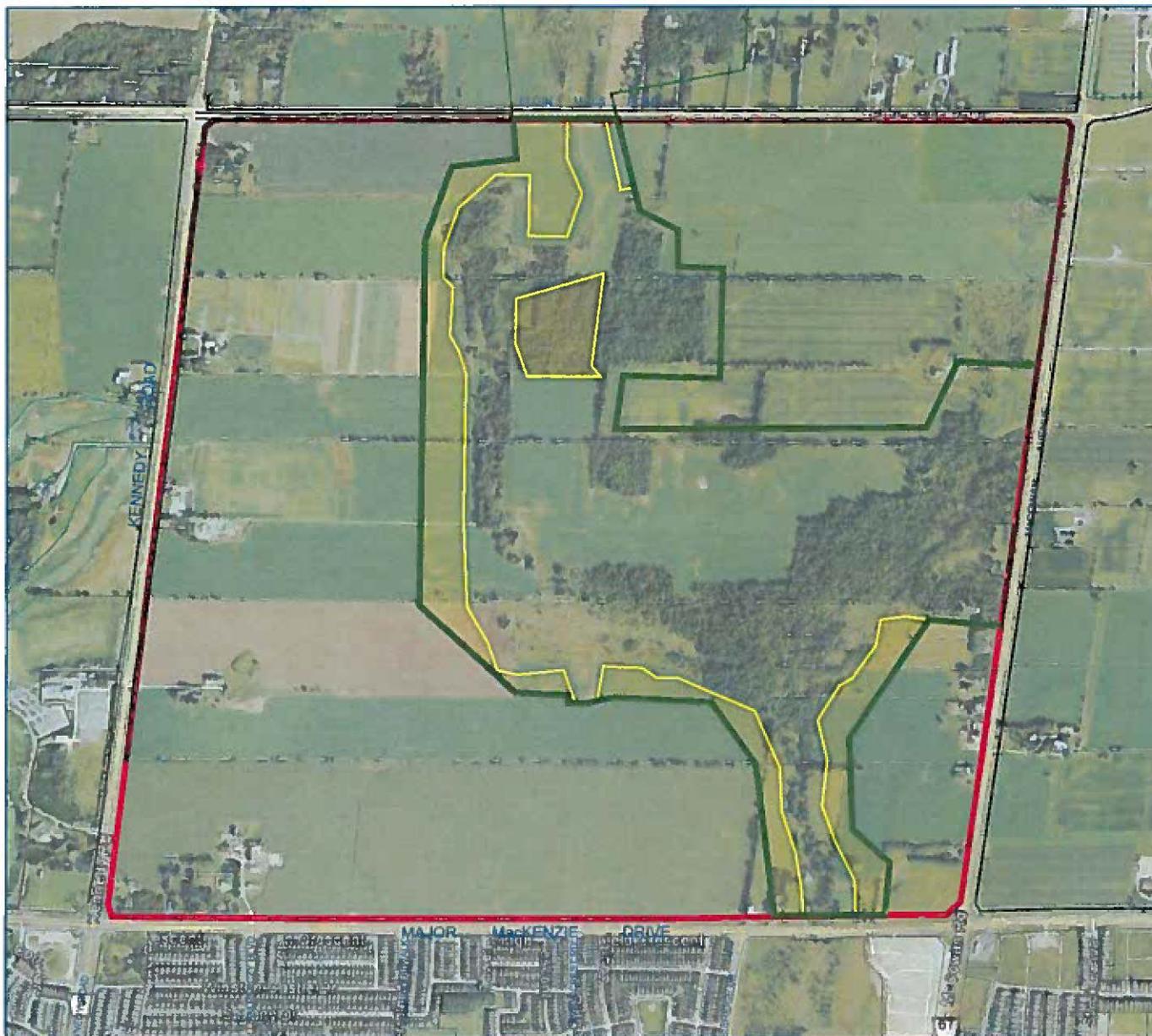


Excerpt from York Region Official Plan

MAP 8

AGRICULTURAL AND RURAL AREA





Impact of Legacy "Agricultural Area" Designations

Robinson Glen Block Lands
North Markham Future Urban Area

City of Markham

LEGEND

-  Subject Lands
-  Greenbelt Boundary
-  Area designated "Agricultural Area", precluding municipal park and other uses.



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 MALONE GIVEN PARSONS LTD.

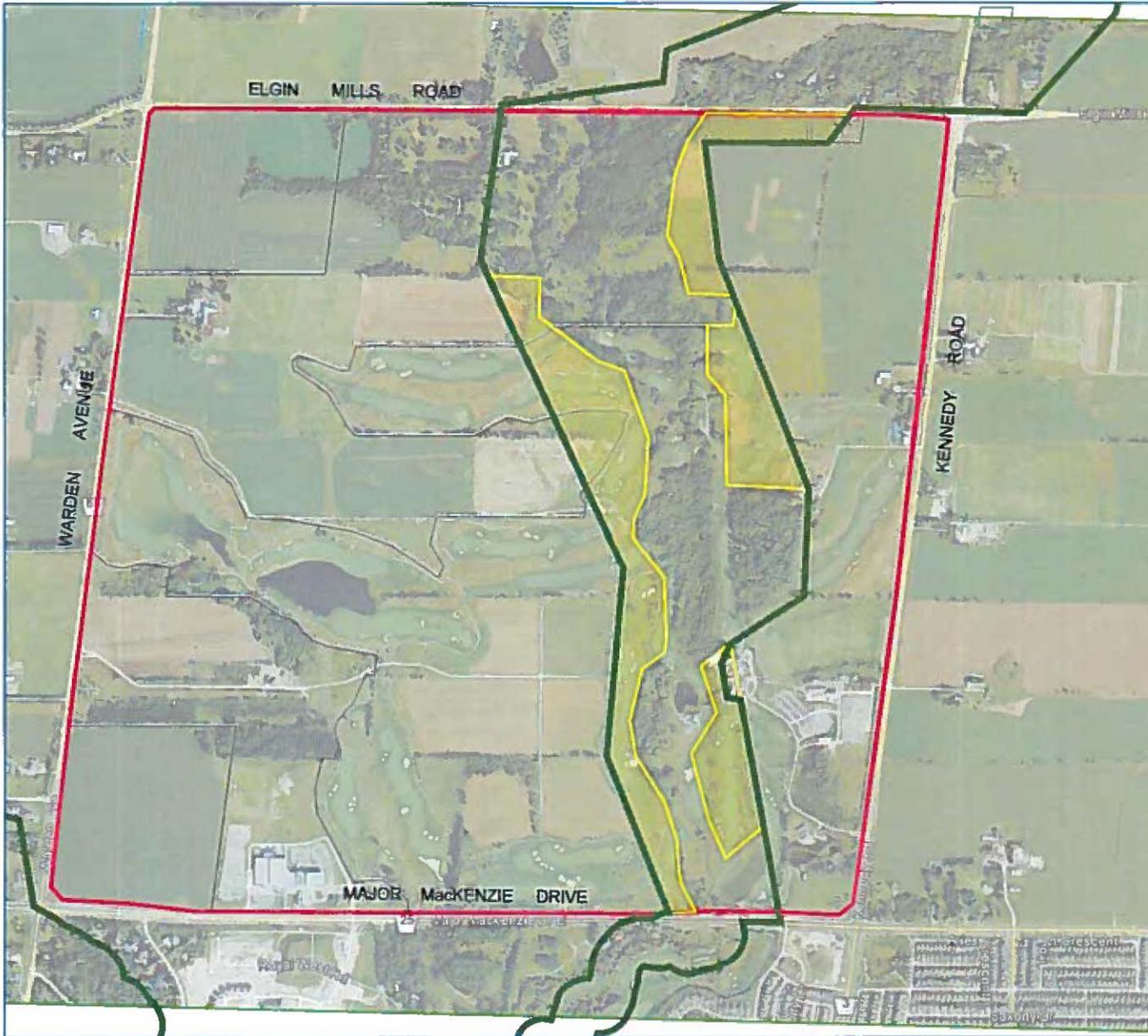
Impact of Legacy "Agricultural Area" Designations

Angus Glen Block Lands
North Markham Future Urban Area

City of Markham

LEGEND

-  Subject Lands
-  Greenbelt Boundary
-  Area designated "Agricultural Area", precluding municipal park and other uses. (Before application of VPZ's to natural features)



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Impact of Legacy "Agricultural Area" Designations

Leslie Elgin Developments Inc. Lands

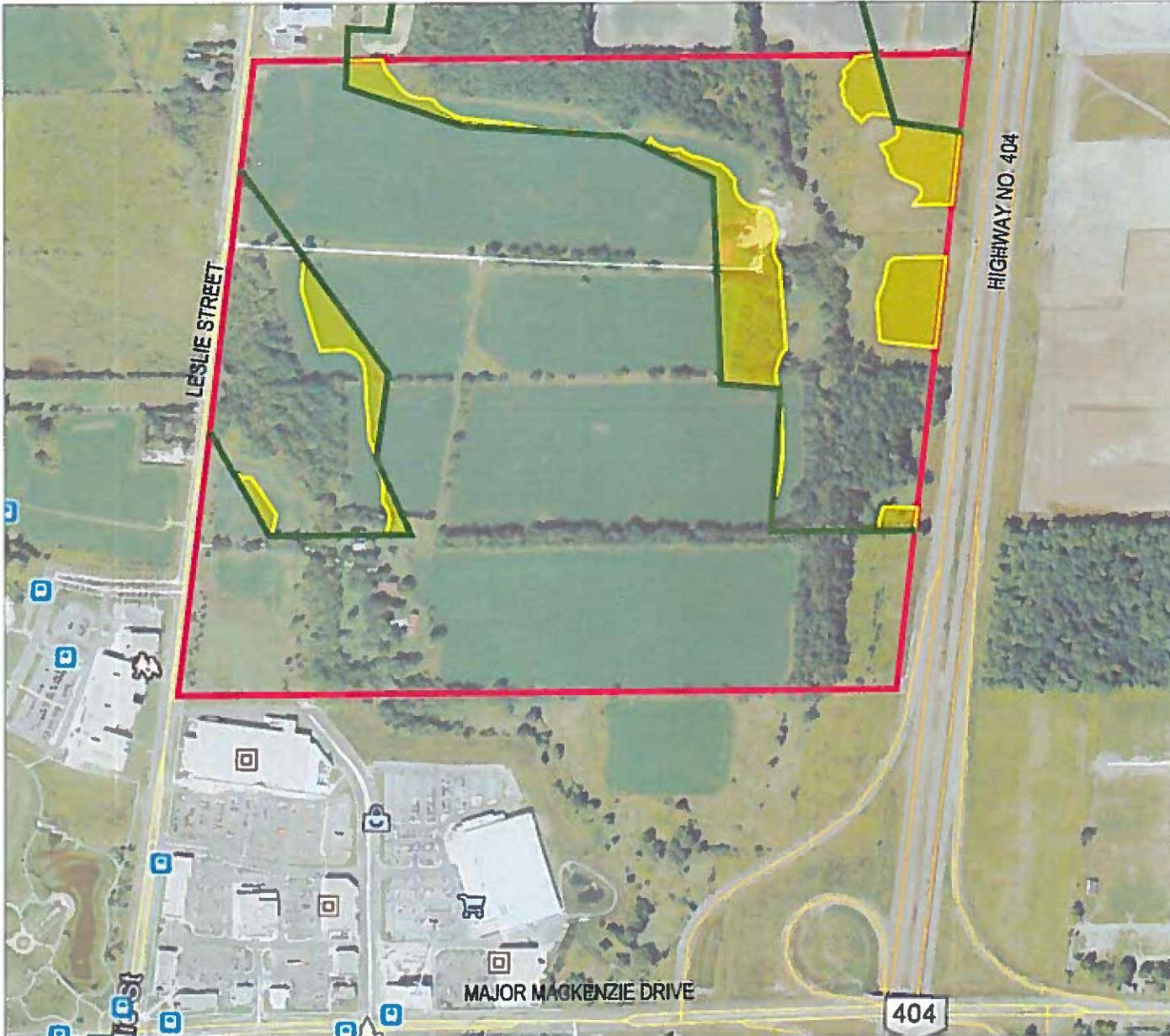
Town of Richmond Hill

LEGEND

 Subject Lands

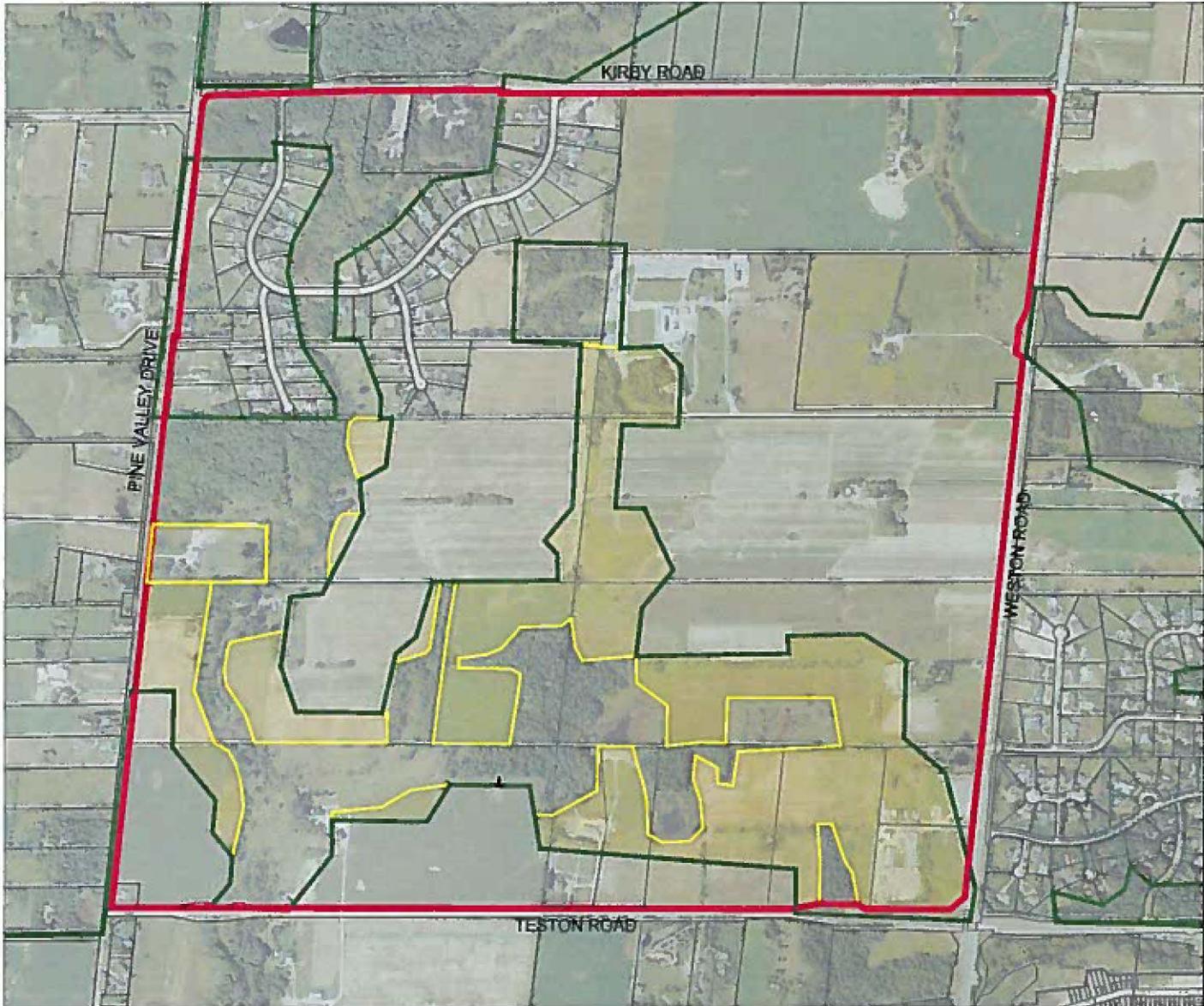
 Greenbelt Boundary

 Area designated "Agricultural Area", precluding municipal park and other uses.



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Impact of Legacy "Agricultural Area" Designations

Block 41

City of Vaughan

LEGEND

-  Subject Lands
-  Greenbelt Boundary
-  Area designated "Agricultural Area", precluding municipal park and other uses. (Before application of VPZ's to natural features)

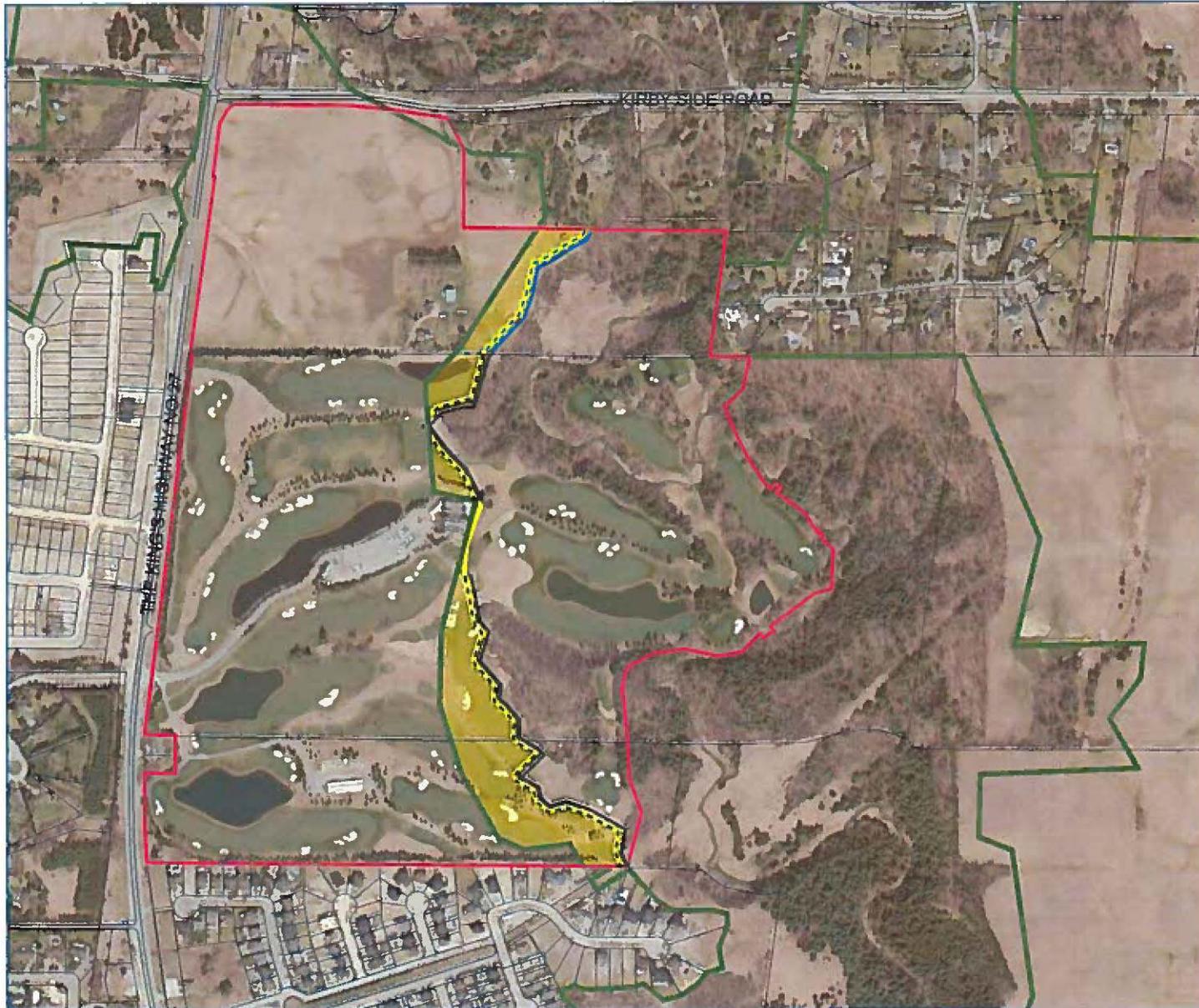


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**Impact of Legacy
"Agricultural Area"
Designations**

**Gilbert and Copper Creek Golf
Club Properties**

City of Vaughan

LEGEND

-  Subject Lands
-  Greenbelt Boundary
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"Agricultural Area",
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