



Memorandum

TO: Members of Regional Council

FROM: Valerie Shuttleworth, MCIP, RPP
Chief Planner, Corporate Services

DATE: May 28, 2015

RE: **2015 Coordinated Provincial Review of the Growth Plan for the Greater Golden Horseshoe, the Greenbelt Plan and Oak Ridges Moraine Conservation Plan, Report No. 1 of the Commissioner of Corporate Services and the Chief Planner**

This memorandum is provided as follow up to the presentation, report and discussion at the May 21st, 2015 Council meeting.

Recommendations

It is recommended that:

1. Staff recommendation 14 contained in Report No. 1, of the Commissioner of Corporate Services and the Chief Planner, dated May 21, 2015, be revised to remove the word 'recreational', so the recommendation now reads as follows:
"The Province consider amending the Greenbelt Plan to permit compatible community uses."
2. Council endorse additional staff recommendation 35 as proposed in this memorandum.
3. That this memorandum be forwarded to the Ministry of Municipal Affairs and Housing as part of the Region's submission in response to EBR posting No. 012-3256.

Thirty-five recommendations are being provided to the Province to improve implementation of the Plans and to address a number of unintended consequences

As noted in the May 21 report, the Oak Ridges Moraine Conservation Plan (ORMCP), the Greenbelt Plan and the Growth Plan for the Greater Golden Horseshoe have provided positive influences on environmental protection, agricultural viability and

growth management. However, as can be expected with any new policy change, municipalities have encountered some implementation challenges and experienced a number of unintended consequences. This is the time to note and address identified challenges. These include, but are not limited to:

Implementation Challenges

- inconsistencies and conflicts between provincial policies and plans
- lack of standardized methodology and implementation guidelines
- limited access to a finite supply of strategic employment lands
- secure and consistent access to financial support for multi-modal transportation networks
- limited tools to achieve affordable housing targets

Unintended Consequences

- challenges locating recreational, cultural and religious facilities, and resulting pressures on strategic employment lands for these uses
- potential for conflict between permanent agricultural lands and new communities
- “leap-frogging” of development north of the Greenbelt Plan area

The 35 staff recommendations are intended to advise the Province of key issues that need to be addressed by the Province to ensure continued success of the Plans. As York Region recommendations are generally consistent with those of other Regions in the plan area, it is expected that Phase 2 of the Province’s review process will include proposed plan modifications to address all of these identified areas of concern. In the event these areas are not (or are not sufficiently) addressed, staff will recommend to Regional Council that additional specific requests be provided, through our comments on the proposed plan amendments anticipated to be released through Phase 2 of the Provincial process.

Staff recommendations generally align with local municipal staff and Council recommendations

The extensive consultation program Regional staff undertook is detailed in the May 21 report. The program included a number of meetings with local municipal planning staff. The table attached to this memorandum (Attachment 1) outlines the extent of alignment between staff’s 35 recommendations and local municipal recommendations (Council resolutions, or staff recommendations where council resolutions are not yet available). The table also includes key recommendations made by more than one of the Region’s nine local municipal partners, not addressed by Regional staff recommendations. Staff has summarized the recommendations to show consistency between municipalities.

In general, there is considerable alignment between local municipal and Regional recommendations. Regional recommendations not referenced within local staff reports generally relate to Regional aspects of growth management and servicing, more appropriately addressed at the Regional level. Examples include recommendations 13,

16, 21, 27, 32 and 33. There are also a number of recommendations that only one local municipality identified, which is a reflection of how these Plans can have unique and local implications.

Alignment across Ministries for new urban design standards for provincially directed facilities is required

Discussion at Council reaffirmed the need for the Province to lead by example and develop revised standards for provincially directed facilities including hospitals and schools. To meet the intensification and density targets of the Growth Plan, there will continue to be a need for hospitals, schools and other facilities in highly urbanized areas. The form of facilities should be in line with Growth Plan objectives, including designs that are less land consumptive, potentially combine a mix of uses, and are pedestrian friendly. In this regard, recommendation 15 seeks the alignment of the mandates of all Provincial ministries beyond MMAH.

The illegal dumping of fill, and unmanaged outdoor storage continue to be issues in rural and agricultural areas

As communities continue to grow and intensify it is becoming more challenging to locate areas within the urban boundary to dispose of fill from construction sites. A number of our local municipalities have reported an increase in illegal placement of fill, dumping and unauthorized outdoor storage in rural and agricultural areas. While local municipal Fill and Site Alteration bylaws may address this issue, enforcement continues to be a challenge with limited resources available to maintain the level of enforcement required. All nine York Region local municipalities have Fill or Site Alteration bylaws in place.

Regional Staff recommends that:

35. The Province provide enforcement assistance and/or tools to assist local municipalities in preventing the illegal placement of fill, dumping and outdoor storage on rural and agricultural lands within the Plan areas.

The potential cumulative impact of approving site specific requests is significant

Staff received 40 site specific requests concerning a total of 51 properties. Although the nature of the requests vary significantly, a number seek to have their lands removed from protective designations (Natural Core, Natural Linkage, or Protected Countryside). Regional staff has used information included in the requests to provide an order of magnitude of the requests, collectively:

- 31 landowners are seeking to have lands removed from the plan areas, or redesignated to Settlement Area to permit development of approximately 1,100 hectares, as follows:

- 12 landowners are seeking to have the entirety of their properties (collectively more than 710 ha) removed from Plan areas, or redesignated to Settlement Area to permit development
- 17 landowners are seeking removal of a portion of their property (collectively more than 400 ha) from the Plan areas or redesignated to Settlement Area to permit development (only those easily quantified or specified in the submission are included)
- Two landowners are proposing that some lands come out of plan areas, and some be added to plan areas for a proposed net gain of approximately 19 ha into the Greenbelt Plan area
- Included in the 31 properties noted above, four landowners are seeking to have their properties made available for strategic employment uses (approximately 265 ha of the total 1,100 ha)
- The remaining site-specific requests are either seeking additional permissions (rather than designation changes) or have not provided sufficient information to quantify the extent of lands potentially impacted

The above noted estimates are conservative, as a number of submissions did not include enough information to be included in the above analysis. Also, since the May 21, 2015 staff report to Council was finalized, additional requests have been filed in the form of communications to Council. Due to limited time available for analysis, requests outlined in these communications are not included above.

Landowners may need to be reminded that the review process is provincially directed and only the province can effect requested changes

The initial May 21 report calls on the province to establish a credible process to consider requests for changes, exemption or other considerations. If implemented by the Province, recommendations 25 and 26 will provide property owners with a provincially-led process appropriate for consideration of site-specific requests.

Local municipal councils have made recommendations regarding four site specific requests

Staff are aware of four instances where local municipal councils have considered and endorsed site-specific requests (Attachment 2). These requests generally relate to boundary adjustments or plan designations. Staff is of the opinion that the process discussed above is also the appropriate process for the Province to consider these requests.

Opportunities to access strategic employment lands, the appropriateness of boundaries, and affordable housing are areas that consistently rise to the top as Regional priorities related to the review of these Plans

Staff has consulted with staff from other regions through the development of the comments and recommendations included in the May 21 report. York Region Council has also considered the impact of these Plans and the impacts on the Region's ability to deliver its mandate, on a number of occasions, most recently at the Council meeting of May 21, 2015. Throughout these consultations and discussions, a number of key areas consistently rise to the top as Regional priorities related to the review of these plans.

They include, but are not limited to:

1. Accessing strategic employment lands over the long term
2. Confirming the accuracy of boundaries or providing a process by which they can be confirmed or corrected
3. Providing the tools necessary to deliver affordable housing options in a variety of forms and tenure

Accompanying the Region's submission to the Province will be a covering letter emphasizing these key priority areas.

Valerie Shuttleworth, MCIP, RPP
Chief Planner

SLM

Attachment (2)

York - # 6097420

Comparison of York Region Staff Recommendations with Local Municipal Staff Reports 2015 Coordinated Review of the Growth Plan, Greenbelt Plan and ORMCP

Notes:

1. Council approvals are pending for Aurora, Markham, Newmarket and Richmond Hill as of May 25, 2015.
2. This table does not include more than 40 additional local municipal staff recommendations as they are not shared with either the Region or other local municipalities.

✓	- Supports the Regional position
✗	- Conflicts with the Regional position

Regional Staff Recommendations:	Aurora	East Gwillimbury	Georgina	King	Markham	Newmarket	Richmond Hill	Vaughan	Whitchurch-Stouffville
1. The Province provide no less than a six month period for review of any proposed amendments to the Plans.			✓		✓			✓	
2. The Province stay the course by maintaining the integrity and objectives of these Plans.							✓		
3. The Province recognize the importance of significant woodlands and urban forest canopy cover as integral to delivering complete communities, and take a no-net-loss approach to managing forest cover in the Greenbelt Plan and ORMCP areas.				✓			✓		
4. The Province amend the Plans to reflect recent Provincial Policy Statement modifications (2014) to agricultural definitions and permitted uses.		✓	✓	✓			✓		
5. The Province review and resolve the conflict between the Holland Marsh Specialty Crop Area in the Greenbelt Plan and the Provincially Significant Wetland.		✓		✓					
6. The Province amend the Plans to include policies that require appropriate buffers and/or mitigation measures in new urban areas adjacent to Greenbelt Plan agricultural lands.				✓	✓			✓	
7. The plans be amended to provide guidance and policies which support municipal efforts to mitigate and adapt to climate change.		✓		✓	✓		✓		✓
8. The Province provide standardized data and a methodology to analyze and quantify climate change impacts.		✓		✓					
9. The Province develop a process to allow municipalities to access strategically located employment lands, if deemed necessary through a Municipal Comprehensive Review.		✓		✓		✓			✓
10. Policy 2.2.6.5 of the Growth Plan be amended to include the words "... through an upper- or single-tier <i>municipal comprehensive review</i> ..."					✓	✓			
11. The Province provide greater direction on what constitutes 'strategic' employment lands.							✓	✓	✓
12. The Province not expand the Greenbelt onto the developable portion of 'whitebelt' lands as part of the 2015 review.					✓ ^a			✓	✓
13. The Province revise the Plans, in how they refer to the 'whitebelt' lands.									

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14. The Province consider amending the Greenbelt Plan to permit compatible community uses.			✓	✓	✓			✓	
15. The Province align the mandates of provincial ministries beyond the Ministry of Municipal Affairs and Housing to achieve Growth Plan objectives.				✓	✓			✓	✓
16. The Province consider removing the requirement that cemeteries be "small scale" on rural lands within the ORMCP to provide access to a greater supply of land to accommodate future needs									
17. The Province explore opportunities to provide guidance within the Provincial Plans related to infrastructure to ensure that planning for new communities and intensification is carried out in a coordinated and consistent manner across the GTHA (e.g. acknowledge Master Planning exercises)				✓			✓	✓	
18. Provincial investments in infrastructure be made strategically to support forecasted growth and to ensure that the GGH is positioned competitively in the global marketplace when competing for employment attraction.		✓	✓		✓			✓	
19. The Province continue financial support to municipalities in constructing and operating multi-modal transportation networks essential to achieving the required densities and objectives of the Growth Plan.					✓		✓	✓	✓
20. The Province revisit policies regarding servicing communities in the Greenbelt and ORMCP, in consultation with municipalities and stakeholders.									✓
21. The Growth Plan be amended to shift policies 3.2.6.5 and 3.2.6.6 from Section 3.2.6 Community Infrastructure to a new subsection within the Where and How to Grow section.									
22. The Province allow municipalities to use inclusionary zoning to require affordable housing units in new developments.			✓		✓		✓		
23. The Province consider minor amendments to the method of measuring density for the planning of complete communities, particularly as it relates to incorporating industrial and warehousing type employment uses.								✓	
24. The Province develop a methodology for consistently undertaking a land budget and for forecasting population and employment growth.			✓			✓			✓

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Regional Staff Recommendations:	Aurora	East Gwillimbury	Georgina	King	Markham	Newmarket	Richmond Hill	Vaughan	Whitchurch-Stouffville
25. The province develop a process to confirm or correct boundaries associated with the Greenbelt Plan and ORMCP.	✓		✓		✓		✓ ^b	✓	✓ ^c
26. The Province amend subsection 2(4) of the ORMCP to permit residual lands outside of the ORM, resulting from confirmation of the 245 contour, to be reconciled with the adjacent land use designation.					✓			✓	
27. The Province consider growing the Greenbelt northwards into south Simcoe County in order to prevent continuing 'leap-frog' development in communities which may not have the appropriate infrastructure to manage such growth in a sustainable manner which is consistent with delivering complete communities as is the intent of the Plans.									
28. The Province amend Section 42 of the ORMCP and Section 3.2.3 of the Greenbelt Plan as necessary to identify and resolve mapping and policy conflicts and terminology inconsistencies.	✓			✓			✓		✓
29. The Province consider amending the <i>Oak Ridges Moraine Conservation Act</i> and <i>Greenbelt Act</i> to include 'sunset' clauses.				✓			✓	✓	✗
30. The Province reconcile policies, terminology and mapping within legislation and plans to ensure they align.		✓	✓	✓			✓	✓	✓
31. The Province deliver outstanding technical guidelines in a timely manner.		✓		✓					
32. The Province develop guidelines to address the fiscal implications for not accommodating forecast growth through the development of complete communities.									
33. The Province revoke outdated technical guidelines.									
34. The Province consult with stakeholders on monitoring in accordance with the indicators and available data to establish the baseline conditions for future monitoring.			✓	✓				✓	✓
35. The Province provide enforcement assistance and/or additional resources to local municipalities to address illegal placement of fill, dumping and outdoor storage on rural and agricultural lands within the Plan areas.		✓		✓					

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Local Municipal Issues beyond those articulated at the Regional level:	Aurora	East Gwillimbury	Georgina	King	Markham	Newmarket	Richmond Hill	Vaughan	Whitchurch-Stouffville
The Province should allow for scoping of studies required in support of small-scale development on the Oak Ridges Moraine (i.e. decks, pools, extensions, etc).	✓			✓			✓		✓
The Province should provide more direction and assistance with interpreting the ORMCP and Greenbelt Plan.	✓	✓		✓	✓				
The Province should consider reducing the size of settlement areas to exclude lands undevelopable due to natural features, or currently unserviceable.			✓			✓			
The Provincial Plans should recognize and address the unique needs of rural communities through additional permissions in both agricultural and rural designations.		✓	✓	✓					
The Province should provide additional direction and policy protection for urban river valleys to be included within the Greenbelt Plan area per Amendment 1.		✓			✓		✓	✓	✗ ^d
The Province clarify lot creation policies, and bring policies regarding farm retirement lots in line with the PPS.			✓	✓					✗
The Province protect the connectivity of agricultural systems in the same manner that the Greenbelt Plan protects the connectivity of natural heritage systems.				✓	✓				
Growth Plan policy 2.2.3.6 b), which requires municipal intensification strategies to “encourage intensification generally throughout the built-up area”, be deleted.					✓			✓	

^a Including areas for enhancement and linkages where part of natural heritage system

^b Extend ‘no modification’ provision to include ORM Countryside designation (i.e. not just Natural Core and Linkage)

^c ORM Natural Core and Linkage Areas should be open for review

^d Does not support the inclusion of urban river valleys within the Greenbelt Plan area as they are already protected in Official Plan policies

**Local Municipal Site-Specific Recommendations
2015 Coordinated Review of the Growth Plan, Greenbelt Plan and ORMCP**

Local Municipality	Recommendation
Georgina	<p><i>Council Resolution No. C-2015-0351 dated May 13, 2015:</i></p> <p>5. THAT Council support the comments of Section 4.3.3 – Maple Lake Estates and endorse Option 5 as discussed therein of Report No. PB-2015-0026, for submission to the Province.</p>
Markham	<p><i>Council Resolution #1 dated April 27, 2010 regarding Report 21, Development Services Committee dated April 13, 2010:</i></p> <p>2) That the Survey Certificate prepared by Krcmar Surveyors Ltd dated April 1, 2010 certifying the topographic elevations prepared by Guido Papa Surveying Ltd dated November 2007 be accepted by the Town in accordance with Section 2(4) of the Oak Ridges Moraine Conservation Plan providing for the confirmation of the Oak Ridges Moraine boundary;</p> <p>3) And that the Town request the Region of York to accept the Survey Certificate prepared by Krcmar Surveyors and the Topographic Survey prepared by Guido Papa Surveying Ltd dated November 2007, for interpretation purposes relative to the Oak Ridges Moraine boundary.</p> <p>4) That the Town of Markham requests the Region of York to ask that the Honourable Jim Bradley, Minister of Municipal Affairs and Housing effect a technical amendment to the Greenbelt Plan Area to permit the deletion of the subject property from the area and further request that the Honourable Brad Duguid, Minister of Energy and Infrastructure make a parallel amendment to the Growth Plan Area</p> <p><i>Development Services Committee Report dated May 19, 2015:</i></p> <p>1.10 The Province is requested to address the request for a modified Natural Heritage System boundary for certain lands located north of Major Mackenzie Drive and west of McCowan Road (Minotar lands) as adopted by Markham Council on December 20, 2013, and subsequently identified as Deferral 1 in York Region's Notice of Decision of Markham's 2014 Official Plan.</p>
Vaughan	<p><i>Council Resolution dated May 19, 2015:</i></p> <p>That the Region of York and the Province of Ontario be notified that Vaughan Council supports and requests the re-designation from Countryside to Settlement for the approximately 29 Hectares located on the property at the north east corner of Teston Road and Dufferin Street.</p>