

FURTHER TO AUTHORITY MEETING #11/04
To be held Friday, January 7, 2005

Pages

7. SECTION I - ITEMS FOR AUTHORITY ACTION

ITEM 7.4 - LISTED ON AGENDA AS REPORT TO FOLLOW

7.4 GREENBELT DRAFT PLAN

Addendum to Detailed Comments Report

26-44

TO: Chair and Members of the Authority
Meeting #11/04, January 7, 2005

FROM: Carolyn Woodland, Director, Development Services

RE: **GREENBELT DRAFT PLAN**
Addendum to Detailed Comments Reports

KEY ISSUE

The addendum report is to provide consolidated recommendations with clarification and revisions to the report presented to the Executive Committee on December 3, 2004.

RECOMMENDATION

WHEREAS the Toronto and Region Conservation Authority (TRCA) previously expressed strong support for the general directions of the Greenbelt Draft Plan in Resolution #A306/04, approved at Authority Meeting #10/04, held on November 26, 2004 and directed staff to prepare additional detailed comments and provide them to the Executive Committee;

WHEREAS members of the Executive Committee at Meeting #11/04 held on December 3, 2004 did not have sufficient advance time to review the detailed staff comments on the Greenbelt Draft Plan;

WHEREAS staff have had further opportunities to meet with Ministry of Municipal Affairs and Housing staff and municipal staff;

WHEREAS this addendum report to the December 3, 2004 report to the Executive Committee seeks to provide a consolidated report with additional clarification and revisions to several of the recommendations contained in the December 3rd report;

THEREFORE LET IT BE RESOLVED THAT the December 3, 2004 report outlined in Attachment 1 be received for information purposes only;

THAT the TRCA support the addition to the Greenbelt Draft Plan lands of the Boyd Complex south of Rutherford Road, based on its environmental, recreational, cultural heritage and public ownership attributes;

THAT the TRCA strongly supports the regional-scale corridors identified in the Greenbelt Draft Plan which comprise those portions of the major river valleys connecting Lake Ontario to the Oak Ridges Moraine and Niagara Escarpment and that are outside the existing approved urban boundaries;

THAT for defining the limits of the Greenbelt in section 5.4.1 for both ill-defined and well-defined valleys, it is ensured that scientifically defensible criteria are applied in a layered approach which encompasses the greater of the limits of floodplains, natural hazards, natural heritage features from the Provincial Policy Statement and TRCA's Terrestrial Natural Heritage System, and which provides the foundation for defining what additional buffers may be required to provide a safety margin to mitigate the potential impacts of development, climate change and other ecological stressors;

THAT through the Generic Regulation process, TRCA pursue with other conservation authorities the use of common definitions to ensure technical clarity and consistency across the province;

THAT the Greenbelt Draft Plan be revised in consideration of the Rouge Park North Management Plan, as previously endorsed by the TRCA, to:

- **specifically identify a 600m corridor along the Little Rouge Creek;**
- **include wording to recognize that the tributaries of the Rouge River shall be subject to the ecological criteria-based boundary delineation process established through the Rouge Park North Management Plan guidelines; and**
- **require that Markham Official Plan Amendment (OPA) 116 comply with the Greenbelt Plan with respect to that boundary delineation process;**

THAT the following lands be reviewed by the province as minor refinements for possible inclusion within the Greenbelt Plan area due to their environmental significance, identification as part of the Terrestrial Natural Heritage System, proximity to other Greenbelt lands and/or to enhance the natural systems approach taken in establishing the Greenbelt Plan:

- **Altona Forest south of the agricultural preserve lands in the City of Pickering and linking along the hydro corridor to the West Duffins Creek;**
- **Upland Sandpiper ESA (candidate environmentally significant area) and adjacent tributaries of the Humber River in the northwest of the City of Vaughan; and additional areas of high groundwater recharge in the vicinity of the Lake Iroquois shoreline, based on the recharge data from the York/Peel/Durham/Toronto (YPDT) Groundwater study;**

THAT the language of sections 4.1.1, 4.2.1 and 4.2.2 be made consistent with section 1.2 - Environmental Protection, such that essential infrastructure in the Greenbelt be required to achieve a net environmental gain and other permitted land uses be required to "protect, maintain and enhance where possible" as the minimum standard;

THAT support be expressed for section 3.1.4 - Rural Area Policies, which would prohibit new multiple units or lots for permanent residential dwellings in the Protected Countryside;

THAT section 3.2.2 - Natural Heritage System Policies, be amended to:

- **clearly define and limit the kinds of development that could be permitted in the Natural Heritage System to only those rural uses currently permitted in official plans that are consistent with the intent of the Greenbelt Plan;**
- **strengthen the test for development in the Natural Heritage System from "no negative impacts" to "protect, maintain and enhance";**

- specifically require a Natural Heritage Evaluation to demonstrate meeting the test;
- clearly specify a mechanism to trigger a Natural Heritage Evaluation for site alteration or for development that does not require Planning Act approvals; and
- strengthen the protection for natural features not identified as key natural heritage/hydrologic features by providing direction and criteria to determine their functional relationship to the Water Resources System as well as their ecological value;

THAT policy 3.2.3 - Water Resource System Policies, be amended to:

- require a water balance assessment and/or hydrologic evaluation for major development within Protected Countryside to ensure the protection of the broader ecological functions of the Water Resources System; and
- harmonize new terminology in the Greenbelt Draft Plan such as "inherently susceptible aquifer systems" with existing terminology used in the Oak Ridges Moraine Conservation Plan;

THAT policy 3.2.4 - Key Natural Heritage and Key Hydrologic Features Policies, be amended to:

- achieve consistency in policy application for Key Natural Heritage Features throughout the entire Protected Countryside area such that features outside of the Natural Heritage System have the same protection as features within the system;
- specifically state that a Natural Heritage or Hydrologic Evaluation is required for development within 120m of features in order to ensure their protection and define an appropriate vegetation protection zone; and
- that the environmental protection policies currently proposed for the Protected Countryside, which appear to comprise elements of the Oak Ridges Moraine Conservation Plan (ORMCP) and Provincial Policy Statement (PPS), be simplified and harmonized at the level of the ORMCP in order to reduce confusion, provide certainty and reduce costs to all parties that would be associated with an adversarial approach to Greenbelt Plan interpretation and implementation;

THAT support be expressed for the Settlement Area policies of the Greenbelt Draft Plan as currently written, believing they strike the appropriate balance of limiting urban sprawl and maintaining the rural character of the Protected Countryside while providing necessary services and functions to support a viable and thriving rural and agricultural economy;

THAT section 4.3.2 - Non-Renewable Resource Policies, be clarified with respect to the terminology used and strengthened to prohibit extraction from within all Key Natural Heritage and Key Hydrologic Features within the Natural Heritage System (NHS) of the Greenbelt Draft Plan;

THAT where an existing building, structure or accessory use is proposed to expand into a Key Natural Heritage Feature (KNHF) or Key Hydrologic Feature (KHF), that an environmental report be required to be submitted that demonstrates that no alternatives are available, that the impacts will be minimized and that includes a compensatory restoration plan;

THAT prescribed policies be developed for transitional applications and that consultation with stakeholders occur before prescribed policies are finalized;

THAT the municipal conformity exercise and associated deadlines for official plan amendments should also be required for amendments to zoning by-laws;

THAT the province be requested to invite Conservation Ontario representatives to sit on any future potential Greenbelt Advisory Council;

THAT all definitions in the Greenbelt Plan be spelled out in full and not reference a separate document, including that:

- **the definition of "significant" allow for the identification of KNHF and KHF through watershed studies and site-specific field studies; and**
- **the term "key natural feature" be clarified to mean both Key Natural Heritage Feature and Key Hydrologic Feature, as it appears in the definitions of "Total Developable Area" and "Vegetation Protection Zone";**

THAT Schedule 4 - Natural Heritage System, be amended to show the Natural Heritage System within the Greater Toronto Area (GTA), south of the Oak Ridges Moraine (ORM), to reinforce the necessary strong direction to municipalities regarding the importance of protecting local natural heritage systems in order to support and maintain the ecological integrity of the provincial-scale natural heritage system protected through the Greenbelt Draft Plan;

THAT the province be requested to establish a Greenbelt Trust Fund and endow the fund with a significant funding contribution from the province in order to undertake public education, stewardship and environmental farm programs and deliver financial incentives to landowners who contribute to the protection and enhancement of the Greenbelt through the programs offered;

AND FURTHER THAT the recommendations and accompanying background material be sent to the Minister of Municipal Affairs and Housing requesting that the Minister direct ministry staff to incorporate these recommendations into the public record and give them due consideration given the time constraints.

BACKGROUND

Resolution #A306/04, as approved at Authority Meeting #10/04 on November 26, 2004, strongly supported the general directions of the Greenbelt Draft Plan, as well as provided a number of detailed comments on the draft Greenbelt Act. Staff was directed to prepare additional detailed comments on the Greenbelt Draft Plan for the Executive Committee meeting of December 3, 2004, based on continuing meetings with staff from the Ministry of Municipal Affairs and Housing (MMAH) for clarification of Greenbelt Draft Plan details. Due to the short time frame for preparing these comments after the MMAH meetings, the report to the Executive Committee was "walked on" the day of the meeting, resulting in committee members not being able to read the report in advance of the meeting. Thus, Resolution #B256/04 was approved as follows:

THAT item #8.12 - Greenbelt Draft Plan - Detailed Comments, be deferred to Authority Meeting #11/04, scheduled to be held on January 7, 2005, as the Executive Committee did not have adequate time to review the staff report given the tight time constraints placed on the review period;

AND FURTHER THAT the Chair send a letter to the Ministry of Municipal Affairs and Housing to indicate support for an extension of the review period.

Following the December 3, 2004, Executive Committee meeting, staff continued consultations with municipal staff in joint meetings with MMAH staff and have received comments from a number of stakeholders requesting clarification. As a result, the addendum report has been prepared to ensure that TRCA's comments are as comprehensive as possible.

The following staff recommendations from the December 3, 2004, report are superceded with recommendations above, as explained below in the section outlining TRCA Staff Addendum Comments on the Greenbelt Draft Plan.

THAT section 5.4.1 be amended to clarify that the Greenbelt Plan boundary:

- *for ill-defined valleys should be a minimum of 60m from the "floodline";*
- *for well-defined valleys should be a minimum 60m from the "stable top of bank"; and*
- *in both instances the boundary limit should be the greater of either those criteria or any associated contiguous KNHF or KHF at the 60m limit with an additional 30m buffer around the feature;*

THAT the following areas be detailed on a map and provided to the province for refinement of boundaries or inclusion in the Greenbelt Plan Area:

- *the headwater areas including the Purpleville Creek in the Humber and the Maple Uplands Area of Natural and Scientific Interest (ANSI) in the West Don;*
- *Boyd Conservation Area, providing a future connection to municipal sewer and water services can be accommodated;*
- *areas immediately south of the agricultural preserve in the City of Pickering, south of the railway tracks including Townline swamp, Altona Forest and the hydro corridor;*
- *Upland Sandpiper Environmentally Significant Area (ESA) in the Nashville Road/Regional Road 50 area and nearby tributaries of the Humber River;*
- *Duffins valley corridor down to Lake Ontario, linking with Bayly Wetland Complex;*
and

- *the extent of the Lake Iroquois shoreline, based on recharge data from the York/Peel/Durham/Toronto (YPDT) groundwater study;*

THAT the Greenbelt Plan mapping be revised to include all corridors associated with the Rouge Park North Management Plan, including an accurate delineation of the Little Rouge Creek, and that the Greenbelt Plan policies recognize and support the boundary delineation process of the Rouge plan for all tributaries within the Rouge Park;

TRCA STAFF ADDENDUM COMMENTS ON THE GREENBELT DRAFT PLAN

Staff recommend that the portion of the Boyd Complex south of Rutherford Road be added to the lands contained within the Greenbelt Plan area. This recommendation has been amended from the December 3rd report to provide the following detailed rationale as to why this portion of the Boyd Complex (herein "Boyd") should be added to the Greenbelt. Boyd is immediately adjacent to the southern portion of lands included in the Greenbelt Plan area. Boyd is designated as an Area of Natural and Scientific Interest (ANSI) by the Province of Ontario and as an ESA by the TRCA for its high quality pine forest habitat and as a wetland and recharge source for the East Humber River. Boyd is the southerly part of a series of ESAs and ANSIs along the East Humber River, forming an important part of the East Humber natural heritage system. TRCA's research indicates that the Pine Valley forest area is one of the most important southerly tracts of habitat within the TRCA jurisdiction, and specifically within the Humber River watershed and natural heritage system. This significant wildlife movement corridor connects the natural areas on the Oak Ridges Moraine (ORM) and Niagara Escarpment to the Lake Ontario shoreline. This terrestrial habitat block is significant during bird migration as well, in that it is the first high quality habitat node north of Lake Ontario. Boyd is also an important regional-scale recreational destination for hiking, picnicking, fishing and nature appreciation. With the population of the GTA projected to increase by 3 million people over the next 30 years, Boyd will play an increasingly important role in serving the recreational needs of GTA residents. Additionally, Boyd has significant cultural heritage attributes as part of the Carrying Place Trail and containing the remnants of an Iroquois Indian Village that dates back to the early 1500's. Lastly, Boyd is already in public ownership and represents an important component of the East Humber Valley Complex, the bulk of which is already included within the Greenbelt. Clearly, this portion of the Boyd Complex meets many of the criteria for inclusion within the Greenbelt and should be added in.

Staff recommend that section 5.4.1 of the Greenbelt Draft Plan be amended for technical clarity and consistency with existing accepted terminology and implementation standards. This section deals with defining the Greenbelt Plan boundary for those portions of the major river valleys (as identified on Schedules 1 and 4) connecting Lake Ontario to the ORM and Niagara Escarpment that are beyond existing approved urban boundaries. TRCA staff strongly support the identification and protection of these major valley corridors as it is, in several areas, very reflective of and helps to implement TRCA's draft Terrestrial Natural Heritage System Strategy. This recommendation has been clarified and amended from the December 3rd report to note that the criteria and wording used by the province to define the Greenbelt boundary may, in some instances, not adequately protect development from natural hazards such as flooding, erosion and unstable slopes. The delineation of the boundaries of these major valley corridors, and indeed all valley systems whether inside or outside the Greenbelt, must be determined based on a scientifically defensible approach that layers natural hazard, ecological and land form criteria and which uses the greatest boundary of all layered criteria for establishing the limits of development. Site specific studies must also determine what additional buffers may

be required to provide a safety margin to mitigate the potential impacts of development, climate change and other ecological stressors including, for example, disease or invasive species.

Staff wish to strengthen and provide specificity to our previous comments with respect to the Rouge Park North Management Plan, to be consistent with similar comments approved by the Town of Markham in their Greenbelt Plan comments. The Rouge North Management Plan has been previously endorsed by TRCA, especially as it relates to the boundary delineation process that is managed on an “ecological criteria” basis as opposed to a “buffer” basis. Staff therefore recommend that the Greenbelt Plan:

- specifically identify a 600m corridor along the Little Rouge Creek;
- include wording to recognize that the tributaries of the Rouge River shall be subject to the ecological criteria-based boundary delineation process established through the Rouge Park North Management Plan guidelines; and
- require that Markham OPA 116 comply with the Greenbelt Plan with respect to that boundary delineation process.

Staff recommend that the following lands (maps to be provided to the ministry) be reviewed by the province as minor refinements for possible inclusion within the Greenbelt Plan area due to their environmental significance, identification as part of the Terrestrial Natural Heritage System, proximity to other Greenbelt lands and/or to enhance the systems approach to establishing the Greenbelt Plan. Additional rationale is provided within this report for four of the areas (Boyd, Altona Forest, Sandpiper (candidate) ESA and Iroquois Shoreline) proposed for inclusion while two areas (Bayly Wetland and Purpleville Creek) originally proposed for inclusion have been deleted based on additional detailed analysis:

- Altona Forest south of the agricultural preserve lands in the City of Pickering and linking along the hydro corridor to the West Duffins Creek - these lands are contiguous to the proposed Greenbelt boundary and would extend it southwards to include the hydro corridor lands, which contain several rare species of flora. The lands contain existing natural cover and link to stream corridors within the existing urban boundary.
- Upland Sandpiper ESA (candidate environmentally significant area) and adjacent tributaries of the Humber River in northwest Vaughan - inclusion of these lands would extend the Greenbelt southwards to Nashville Road and encompass significant rare bird habitat and additional tributaries of the main Humber River.
- additional areas of high groundwater recharge in the vicinity of the Lake Iroquois shoreline based on the recharge data from the York/Peel/Durham/Toronto (YPDT) Groundwater study.

In the December 3rd report to the Executive Committee, staff recommended that the Duffins valley corridor down to Lake Ontario and linking with the Bayly wetland complex should be added to the Greenbelt. Based on further detailed analysis staff no longer support this addition to the Greenbelt as the wetland complex is not contiguous with any other Greenbelt lands and is somewhat distant from the Duffins valley corridor. However, staff continue to support the protection and enhancement of this wetland through municipal official plans and its eventual linkage to the West Duffins Creek as identified in the Target Terrestrial Natural Heritage System.

Similarly, in the December 3rd report, staff recommended that the Humber River headwaters in the Purpleville Creek area linking to the Maple Uplands Area of Natural and Scientific Interest (ANSI) within the west Don River headwaters be included within the Greenbelt. Based on further detailed analysis staff no longer support this addition to the Greenbelt as there are intervening designated urban lands between these two areas which makes a linked regional-scale corridor connection not feasible. However, staff continue to support the protection and enhancement of these areas individually through the local planning process as locally important features and corridors.

Report prepared by: David Burnett, extension 5361
For Information contact: David Burnett, extension 5361
Date: December 21, 2004
Attachments: 1

Attachment 1

TO: Chair and Members of the Executive Committee
Meeting #11/04, December 3, 2004

FROM: Adele Freeman, Director, Watershed Management

RE: **GREENBELT DRAFT PLAN - DETAILED COMMENTS**

KEY ISSUE

Providing detailed comments to the Ministry of Municipal Affairs and Housing on the Greenbelt Draft Plan. Report as presented at Executive Committee Meeting #11/04, held on December 3, 2004.

RECOMMENDATION

THAT the following recommendations for changes to the Greenbelt Draft Plan be forwarded to the Ministry of Municipal Affairs and Housing by the December 12, 2004 comment submission deadline;

THAT the language of sections 4.1.1, 4.2.1 and 4.2.2 be made consistent with section 1.2 - Environmental Protection, such that essential infrastructure in the Greenbelt be required to achieve a net environmental gain and other permitted land uses be required to "protect, maintain and enhance where possible" as the minimum standard;

THAT strong support be expressed for section 3.1.4 - Rural Area Policies, which would prohibit in the Protected Countryside new multiple units or lots for permanent residential dwellings;

THAT section 3.2.2 - Natural Heritage System Policies, be amended to:

- **clearly define and limit the kinds of development that could be permitted in the Natural Heritage System to only those rural uses currently permitted in official plans that are consistent with the intent of the Greenbelt Plan;**
- **strengthen the test for development in the Natural Heritage System from "no negative impacts" to "protect, maintain and enhance";**
- **specifically require a Natural Heritage Evaluation to demonstrate meeting the test; clearly specify a mechanism to trigger a Natural Heritage Evaluation for site alteration or for development that does not require Planning Act approvals; and**
- **strengthen the protection for natural features not identified as key natural heritage/hydrologic features by providing direction and criteria to determine their functional relationship to the Water Resources System as well as their ecological value;**

THAT policy 3.2.3 - Water Resource System Policies, be amended to:

- **require a water balance assessment and/or hydrologic evaluation for major development within Protected Countryside to ensure the protection of the broader ecological functions of the Water Resources System; and**

- harmonize new terminology in the Greenbelt Draft Plan such as "inherently susceptible aquifer systems" with existing terminology used in the Oak Ridges Moraine Conservation Plan;

THAT policy 3.2.4 - Key Natural Heritage and Key Hydrologic Features Policies, be amended to:

- achieve consistency in policy application for Key Natural Heritage Features throughout the entire Protected Countryside area such that features outside of the Natural Heritage System have the same protection as features within the system;
- specifically state that a Natural Heritage or Hydrologic Evaluation is required for development within 120m of features in order to ensure their protection and define an appropriate vegetation protection zone; and
- that the environmental protection policies currently proposed for the Protected Countryside, which appear to comprise elements of the Oak Ridges Moraine Conservation Plan (ORMCP) and Provincial Policy Statement (PPS), be simplified and harmonized at the level of the ORMCP in order to reduce confusion, provide certainty and reduce costs to all parties that would be associated with an adversarial approach to Greenbelt Plan interpretation and implementation;

THAT support be expressed for the Settlement Area policies of the Greenbelt Draft Plan as currently written, believing they strike the appropriate balance of limiting urban sprawl and maintaining the rural character of the Protected Countryside while providing necessary services and functions to support a viable and thriving rural and agricultural economy;

THAT section 4.3.2 - Non-Renewable Resource Policies, be clarified with respect to the terminology used and strengthened to prohibit extraction from within all Key Natural Heritage and Key Hydrologic Features within the Natural Heritage System (NHS) of the Greenbelt Draft Plan;

THAT where an existing building, structure or accessory use is proposed to expand into a Key Natural Heritage Feature (KNHF) or Key Hydrologic Feature (KHF), that an environmental report be required to be submitted that demonstrates that no alternatives are available, that the impacts will be minimized and that includes a compensatory restoration plan;

THAT prescribed policies be developed for transitional applications and that consultation with stakeholders occur before prescribed policies are finalized;

THAT the municipal conformity exercise and associated deadlines for official plan amendments should also be required for amendments to zoning by-laws;

THAT section 5.4.1 be amended to clarify that the Greenbelt Plan boundary:

- for ill-defined valleys should be a minimum of 60m from the "floodline";
- for well-defined valleys should be a minimum 60m from the "stable top of bank"; and
- in both instances the boundary limit should be the greater of either those criteria or any associated contiguous KNHF or KHF at the 60m limit with an additional 30m buffer around the feature;

THAT Conservation Ontario representatives be invited to sit on the Greenbelt Advisory Council;

THAT all definitions in the Greenbelt Plan be spelled out in full and not reference a separate document, including that:

- **the definition of "significant" allow for the identification of KNHF and KHF through watershed studies and site-specific field studies; and**
- **the term "key natural feature" be clarified to mean both Key Natural Heritage Feature and Key Hydrologic Feature, as it appears in the definitions of "Total Developable Area" and "Vegetation Protection Zone";**

THAT the following areas be detailed on a map and provided to the province for refinement of boundaries or inclusion in the Greenbelt Plan Area:

- **the headwater areas including the Purpleville Creek in the Humber and the Maple Uplands Area of Natural and Scientific Interest (ANSI) in the West Don;**
- **Boyd Conservation Area, providing a future connection to municipal sewer and water services can be accommodated;**
- **areas immediately south of the agricultural preserve in the City of Pickering, south of the railway tracks including Townline swamp, Altona Forest and the hydro corridor;**
- **Upland Sandpiper Environmentally Significant Area (ESA) in the Nashville Road/Regional Road 50 area and nearby tributaries of the Humber River;**
- **Duffins valley corridor down to Lake Ontario, linking with Bayly Wetland Complex; and**
- **the extent of the Lake Iroquois shoreline, based on recharge data from the York/Peel/Durham/Toronto (YPDT) groundwater study;**

THAT the Greenbelt Plan mapping be revised to include all corridors associated with the Rouge Park North Management Plan, including an accurate delineation of the Little Rouge Creek, and that the Greenbelt Plan policies recognize and support the boundary delineation process of the Rouge plan for all tributaries within the Rouge Park;

THAT Schedule 4 - Natural Heritage System, should be amended to show the Natural Heritage System within the Greater Toronto Area (GTA) south of the ORM to reinforce the necessary strong direction to municipalities regarding the importance of protecting local natural heritage systems in order to support and maintain the ecological integrity of the provincial-scale natural heritage system protected through the Greenbelt Draft Plan;

AND FURTHER THAT a Greenbelt Trust Fund should be set up and endowed with a significant funding contribution from the province in order to undertake public education, stewardship and environmental farm programs and deliver financial incentives to landowners who contribute to the protection and enhancement of the Greenbelt through the programs offered.

BACKGROUND

As approved by Resolution #A306/04 at the November 26, 2004 meeting of the Authority, Toronto and Region Conservation Authority (TRCA) strongly supports the general directions of the Greenbelt Draft Plan. A robust natural heritage system, protected through provincial legislation, is vital to the ability of Greater Golden Horseshoe communities to sustain and enhance the quality of life for existing residents and the projected increase of three million new residents over the next thirty years. A strong Greenbelt Plan will contribute directly to:

- the protection of water resources;
- enhancing air quality;
- stemming the loss of native biodiversity;
- providing for increased recreational opportunities;
- supporting the viability of near-urban agriculture; and
- providing certainty for future urbanization within the Greenbelt Plan Area.

As directed through Resolution #A306/04, TRCA staff has now had the opportunity to meet with municipal and provincial staff regarding the implications of the Greenbelt Draft Plan. The following detailed comments on the draft plan are provided in the spirit of improving the plan in terms of clarity, consistency and mapping components. Comments are provided chronologically, referencing specific sections of the Greenbelt Draft Plan.

TRCA STAFF COMMENTS ON THE GREENBELT DRAFT PLAN

The language of section 1.2 for the goals and objectives for Environmental Protection is inconsistent with the language of sections 4.2.1 - General Infrastructure Policies, and 4.2.2 - Sewer and Water Infrastructure Policies. The Environmental Protection objectives in section 1.2 speak to protecting, maintaining and/or where possible, enhancing natural heritage features and functions and the quality and quantity of ground and surface water. The language of sections 4.2.1 and 4.2.2 speak to minimizing adverse effects or not negatively impacting the environment. This in effect sets a lower standard of environmental protection for infrastructure to serve the public interest and is not appropriate. While acknowledging that certain infrastructure projects, such as potential new or expanded highway systems including #413, #427 or #407 are likely to cross or occur within the Greenbelt, these projects should be subject to a higher standard that would see a net gain to the environment. Similarly, the policies in section 4.1.1 - General Non-Agricultural Use Policies, use the term "no negative impacts", which is inconsistent with section 1.2 and should be changed to "protect, maintain and enhance".

- #1) THAT the language of sections 4.1.1, 4.2.1 and 4.2.2 be made consistent with section 1.2 - Environmental Protection, such that essential infrastructure in the Greenbelt be required to achieve a net environmental gain and other permitted land uses be required to "protect, maintain and enhance where possible" as the minimum standard.**

In keeping with the Greater Golden Horseshoe Growth Plan objectives of promoting compact urban form and stopping urban sprawl, TRCA staff strongly support section 3.1.4 - Rural Area Policies, which would prohibit in the Protected Countryside new multiple units or lots for permanent residential dwellings.

#2) TRCA staff strongly support section 3.1.4 - Rural Area Policies, which would prohibit in the Protected Countryside new multiple units or lots for permanent residential dwellings.

Section 3.2 provides a description of the Natural System, including its component Natural Heritage System and Water Resource System, with policies pertaining to both those systems plus Key Natural Heritage and Key Hydrologic Features policies. While the proposed policies provide a good policy framework, it could benefit from increased clarity and consistency of language plus a strengthening of the policies in certain areas as described below. Section 3.2.1, in describing the Natural Heritage System states that the Natural System policies protect "significant and/or sensitive" features and functions, building upon and integrating with the surrounding landscape within the Greenbelt as a whole. This is equally true for the major river valley connections (part of the Greenbelt to the south) which connect to the existing urban areas. There needs to be greater recognition and strong direction to municipalities and proponents of development regarding the importance of protecting local natural heritage systems in these potential future urban areas in order to support and maintain the ecological integrity of the provincial-scale natural heritage system protected through the Greenbelt Draft Plan. Further explanation of this point will be provided in the comments on Schedule 4.

TRCA staff have several concerns with the Natural Heritage System policies as currently written in section 3.2.2, in particular as it relates to permitting new development or site alteration in the Natural Heritage System. The kinds of development permitted should be clearly identified as only those uses which are currently permitted in rural areas by municipal official plans. The test of "no negative effects" is not consistent with the Environmental Protection goals of section 1.2 (as identified above). This section needs to clearly state that the demonstration of "no negative effects" (as recommended for improvement) must be undertaken through a Natural Heritage Evaluation (or similar study) to the satisfaction of the approval authority. There needs to be a trigger that would cause this demonstration/evaluation to occur for site alteration or development not subject to a Planning Act approval (i.e. a building permit). Lastly, the direction for the removal of features not identified as key natural/hydrologic features to be kept to a minimum is too vague and subjective. If the features are within Protected Countryside, then by definition from section 3.2.4, they overlap with the Water Resources System and, even though smaller features, should not be dismissed out of hand due to their likely relationship and role in the protection and maintenance of the Water Resource System. Clear criteria are needed to make this determination, such as those contained in the Oak Ridges Moraine Conservation Plan technical guidelines.

#3) TRCA staff recommend that section 3.2.2 Natural Heritage System Policies be amended to:

- **clearly define and limit the kinds of development that could be permitted in the Natural Heritage System to only those rural uses currently permitted in official plans that are consistent with the intent of the Greenbelt Plan;**

- **strengthen the test for development in the Natural Heritage System from "no negative impacts" to "protect, maintain and enhance";**
- **specifically require a Natural Heritage Evaluation to demonstrate meeting the test;**
- **clearly specify a mechanism to trigger a Natural Heritage Evaluation for site alteration or for development that does not require Planning Act approvals; and**
- **strengthen the protection for natural features not identified as key natural heritage/hydrologic features by providing direction and criteria to determine their functional relationship to the Water Resources System as well as their ecological value.**

Section 3.2.3 - Water Resource System Policies, include the expectation that watershed plans will be completed to guide planning and development decisions within the Protected Countryside. Although the policies of this section apply throughout the Protected Countryside, they are in general fairly vague, weak and defer to future provincial directives on source water protection. Additionally, the reference only to "wellhead areas" and "inherently susceptible aquifer areas" appears to focus solely on the protection of water resources for water supply and consumption without addressing the broader ecological functions of water resources in supporting the natural heritage system. A policy should be added requiring water balance assessments and/or hydrologic evaluations for major development to ensure the protection of the ecological functions of the water resource system. Consistency in terminology of aquifer areas with the Oak Ridges Moraine Conservation Plan (ORMCP) terminology (areas of high aquifer vulnerability) is recommended to reduce confusion, especially as the same aquifer is likely to occur both within the ORM and the Protected Countryside designations.

#4) TRCA staff recommend that policy 3.2.3 Water Resource System Policies be amended to:

- **require a water balance assessment and/or hydrologic evaluation for major development within Protected Countryside to ensure the protection of the broader ecological functions of the Water Resources System; and**
- **harmonize new terminology in the Greenbelt Draft Plan such as "inherently susceptible aquifer systems" with existing terminology used in the Oak Ridges Moraine Conservation Plan.**

Section 3.2.4 - Key Natural Heritage and Key Hydrologic Features Policies defines these features very similar to the ORMCP, which TRCA supports for ease of using consistent terminology. There is, however, a major policy difference in how KNHF are treated in comparison to KHF. KHF are subject to the policies of the Greenbelt Plan within the entire area of Protected Countryside. KNHF are only subject to the Greenbelt Plan policies if they are contained within the Greenbelt Natural Heritage System. Otherwise, they are subject to the less restrictive Provincial Policy Statement. This policy difference allows the current adversarial approach to protecting natural heritage to continue, lessens the effectiveness of the intended purpose of the Greenbelt and does not provide the certainty that all parties would like to see in the development approvals process. All KNHF within the Greenbelt should be subject to the same level of protection as afforded those KNHF in the Natural Heritage System. The remaining policies of this section are similar to those found in the ORMCP, including the prohibition on development and site alteration within KNHF and KHF in the Natural Heritage System and the requirement for a vegetation protection zone around features. The policies

would benefit from both clearer and consistent language in terms of specifically stating that a Natural Heritage or Hydrological Evaluation is required for development within 120m of features and defined minimum vegetation protection zones for all features instead of just some. In essence, lands within the Protected Countryside area, depending on their exact location, could be subject to ORM-like policies, Greenbelt Plan-specific policies and/or the PPS. This could prove to be confusing and onerous to both municipal and agency staff as well as to development interests and result in less certainty and increased costs to all parties.

#5) TRCA staff recommend that policy 3.2.4 - Key Natural Heritage and Key Hydrologic Features Policies be amended to:

- **achieve consistency in policy application for Key Natural Heritage Features throughout the entire Protected Countryside area such that features outside of the Natural Heritage System have the same protection as features within the system;**
- **specifically state that a Natural Heritage or Hydrologic Evaluation is required for development within 120m of features in order to ensure their protection and define an appropriate vegetation protection zone; and**
- **that the environmental protection policies currently proposed for the Protected Countryside, which appear to comprise elements of the ORMCP and PPS, be simplified and harmonized at the level of the ORMCP in order to reduce confusion, provide certainty and reduce costs to all parties that would be associated with an adversarial approach to Greenbelt Plan interpretation and implementation.**

Section 3.4 - Settlement Areas, recognizes existing towns, villages and hamlets within the Greenbelt Plan Area and provides policies that would allow for their modest growth (at the 10-year plan review period) to support the vitality of the Protected Countryside, subject to the environmental capacity to provide locally-based sewage and water services, consistency with watershed plans (where done) and not expanding into the Natural Heritage System. Additionally, no new Great Lake-based water and sewer systems, or extensions or expansions to existing Great Lake-based systems, are permitted for the purpose of serving settlement areas within the Protected Countryside.

#6) TRCA staff support the Settlement Area policies of the Greenbelt Draft Plan as currently written, believing they strike the appropriate balance of limiting urban sprawl and maintaining the rural character of the Protected Countryside while providing necessary services and functions to support a viable and thriving rural and agricultural economy.

Section 4.3 provides policies for the use and management of Natural Resources, both Renewable (4.3.1) and Non-renewable (4.3.2). TRCA staff are concerned with the apparent extent to which mineral aggregate operations may be permitted within individual environmental features as well as within the Natural Heritage System. The terminology is inconsistent and confusing in this section as the reference is to "key natural features" as opposed to key natural heritage features or key hydrologic features. It appears that aggregate extraction may be permitted in ANSIs, fish habitat, significant valleylands, significant woodlands, streams and natural lakes, among other features, provided the features are restored and returned to a state of equal or greater ecological value. The concept of ecological value, although defined in the glossary, would be impossible to evaluate given the temporal aspect of replacing mature

ecosystems with young, less diverse habitats, never mind to achieve, given that the substrate which supported that mature ecosystem has been removed. Additionally, the rehabilitation target for aggregate operations in the Natural Heritage System is proposed to be as little as 30% natural habitat. Clearly the aggregate extraction policies for the Greenbelt are too permissive.

- #7) TRCA staff recommend that section 4.3.2 - Non-Renewable Resource Policies, be clarified with respect to the terminology used and strengthened to prohibit extraction from within all Key Natural Heritage and Key Hydrologic Features within the Natural Heritage System of the Greenbelt Draft Plan.**

Section 4.5 - Existing Uses, sets out policies that permit single dwellings on existing vacant lots of record, grandfather existing legally established uses and provide for minor expansions to existing uses subject to criteria being met. Staff have no objections to this section but do recommend that where an existing building, structure or accessory use is proposed to expand into a KNHF or KHF that an environmental report be required to be submitted that demonstrates that no alternatives are available, that the impacts will be minimized and that includes a compensatory restoration plan.

- #8) TRCA staff recommend that where an existing building, structure or accessory use is proposed to expand into a KNHF or KHF, that an environmental report be required to be submitted that demonstrates that no alternatives are available, that the impacts will be minimized and that includes a compensatory restoration plan.**

Section 5.1 - Status and Effect, notes that the Greenbelt Act, 2004, authorizes the application of prescribed policies for Planning Act (etc.) applications that were commenced before December 16, 2004. TRCA strongly recommends that prescribed policies be developed for transitional applications and that consultation with stakeholders occur before prescribed policies are finalized.

- #9) TRCA strongly recommends that prescribed policies be developed for transitional applications and that consultation with stakeholders occur before prescribed policies are finalized.**

Section 5.2 provides direction for Municipal Implementation of Protected Countryside Policies and requires amendments to official plans to conform with the Greenbelt Plan. The municipal conformity exercise and associated deadlines should also apply to amendments for zoning by-laws.

- #10) TRCA recommends that the municipal conformity exercise and associated deadlines for official plan amendments should also be required for amendments to zoning by-laws.**

Section 5.4.1 - Boundary of the Greenbelt Plan provides criteria for the delineation of the portions of the major river valleys connecting Lake Ontario to the Oak Ridges Moraine or Niagara Escarpment that are beyond the approved urban boundaries of municipal official plans. These definitions should be clarified to state that where valleys are ill-defined, the Greenbelt boundary should be 60m from the "floodline". In the second part of this section, which relates to situations where there is a defined valley, the 60m boundary should be defined from the "stable top of bank" rather than from the "valley wall". In both instances the Greenbelt boundary should be the greater of the floodline/stable top of bank or any associated contiguous KNHF or HSF at the 60m limit with an additional 30m buffer around the feature.

#11) TRCA staff recommend that section 5.4.1 be amended to clarify that the Greenbelt plan boundary:

- **for ill-defined valleys should be a minimum of 60m from the "floodline";**
- **for well-defined valleys should be a minimum 60m from the "stable top of bank"; and**
- **in both instances the boundary limit should be the greater of either those criteria or any associated contiguous KNHF or KHF at the 60m limit with an additional 30m buffer around the feature.**

Section 5.8 outlines that the province may establish a Greenbelt Advisory Council and states what the roles of the council could be. As a Conservation Ontario representative was appointed to sit on the previous Greenbelt Task Force to provide advice to the government, it would be appropriate to have Conservation Ontario representation as part of the Greenbelt Advisory Council in sufficient numbers to represent the diversity of issues across the Greenbelt.

#12) TRCA staff recommend that Conservation Ontario representatives be invited to sit on the Greenbelt Advisory Council.

The Definitions section of the Greenbelt Draft Plan references numerous definitions from the PPS. For ease of reading, the final Greenbelt Plan should contain all definitions used in full so that a reader does not have to search out another document to understand the meaning of the terms used.

The definition of "Significant" should allow for the identification of KNHF and KHF through watershed studies and site-specific field studies, according to defined criteria, as it is unlikely that provincial ministries will be able to accurately identify all features from air photo interpretation.

The definitions of "Total Developable Area" and "Vegetation Protection Zone" both reference the term "key natural feature". This should be clarified to mean both Key Natural Heritage Feature and Key Hydrologic Feature.

#13) TRCA staff recommend that all definitions in the Greenbelt Plan be spelled out in full and not reference a separate document, including that:

- **the definition of "significant" allow for the identification of KNHF and KHF through watershed studies and site-specific field studies; and**

- **the term "key natural feature" be clarified to mean both Key Natural Heritage Feature and Key Hydrologic Feature, as it appears in the definitions of "Total Developable Area" and "Vegetation Protection Zone".**

Mapping and Schedules

Schedule 1 defines the Greenbelt Plan Area. Based on consultation with municipal and provincial staff and the overlay of TRCA's Target Terrestrial Natural Heritage System onto the Greenbelt Plan, staff have identified a number of areas which warrant inclusion in the Greenbelt Plan Area.

#14) TRCA staff recommend that the following areas be detailed on a map and provided to the province for refinement of boundaries or inclusion in the Greenbelt Plan Area:

- **the headwater areas including the Purpleville Creek in the Humber and the Maple Uplands Area of Natural and Scientific Interest (ANSI) in the West Don;**
- **Boyd Conservation Area, providing a future connection to municipal sewer and water services can be accommodated;**
- **areas immediately south of the agricultural preserve in the City of Pickering, south of the railway tracks including Townline swamp, Altona Forest and the hydro corridor;**
- **Upland Sandpiper ESA in the Nashville Road/Regional Road 50 area and nearby tributaries of the Humber River;**
- **Duffins valley corridor down to Lake Ontario, linking with Bayly Wetland Complex;**
- **the extent of the Lake Iroquois shoreline, based on recharge data from the YPDT groundwater study.**

In addition to the above mapping comments, the Greenbelt Plan corridors need to reflect the intention of the Rouge Park North Management Plan. Detailed refinement of all corridors associated with the Rouge Park North should be included to adequately reflect provincial interests and Rouge Park objectives, inclusive of the North Leslie lands. The Greenbelt Plan should include accurate delineation of a 600m corridor along the Little Rouge Creek and recognize that the tributaries of the Rouge Park are all subject to a boundary delineation process established in the Rouge Park North Management Plan, as adopted by Town of Markham Council in September, 2003.

#15) TRCA staff recommend that the Greenbelt Plan mapping be revised to include all corridors associated with the Rouge Park North Management Plan, including an accurate delineation of the Little Rouge Creek, and that the Greenbelt Plan policies recognize and support the boundary delineation process of the Rouge Plan for all tributaries within the Rouge Park.

Schedule 4 - Natural Heritage System, should also be amended to show a Natural Heritage System in the GTA south of the ORM. The map shows a NHS for areas to the north of the ORM and outside the Greenbelt. This leaves the impression that there is no NHS within the urban areas of the GTA and that none need be provided for on the agricultural lands north of the urban boundary (and south of the ORM) which have been excluded from the Greenbelt and which are assumed to be proposed for future urban growth in the Greater Golden Horseshoe Growth Plan. This addition to the schedule would help to reinforce the strong direction to municipalities regarding the importance of protecting local natural heritage systems in order to support and maintain the ecological integrity of the provincial-scale natural heritage system protected through the Greenbelt Draft Plan.

#16) Schedule 4 - Natural Heritage System, should be amended to show the Natural Heritage System within the GTA south of the ORM to reinforce the necessary strong direction to municipalities regarding the importance of protecting local natural heritage systems in order to support and maintain the ecological integrity of the provincial-scale natural heritage system protected through the Greenbelt Draft Plan.

The Greenbelt Task Force advice and recommendations to the minister proposed that non-regulatory tools such as public education and land stewardship information, incentives and special programs be created, coordinated and funded through a Greenbelt Trust Fund. No such actions or monies have been proposed through the Greenbelt Act or Greenbelt Draft Plan.

#17) TRCA staff recommend that a Greenbelt Trust Fund should be set up and endowed with a significant funding contribution from the province in order to undertake public education, stewardship and environmental farm programs and deliver financial incentives to landowners who contribute to the protection and enhancement of the Greenbelt through the programs offered.

Report prepared by: David Burnett, extension 5361
For Information contact: David Burnett, extension 5361
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