

The Regional Municipality of York

Committee of the Whole
Planning and Economic Development
May 13, 2021

Report of the Commissioner of Corporate Services and Chief Planner

Information Report for Public Meeting Proposed Amendment No. 7 to the York Region Official Plan

1. Recommendations

1. Council and staff receive all comments from the public and responses from the circulation of proposed Regional Official Plan Amendment No. 7.
2. Staff prepare a report with recommendations on Regional Official Plan Amendment No. 7 for consideration by the Committee of the Whole.

2. Summary

A group of landowners submitted an application to amend the York Region Official Plan to change the land use designation of the subject lands from “Agricultural Area” to “Rural Area”. The proposed Amendment applies to certain lands within the Cities of Vaughan and Markham that are within the Provincial Greenbelt Plan. The purpose of this information report is to provide an overview and description of the proposed Amendment.

Key Points:

- The purpose and intent of the Amendment is to provide opportunities for parkland, trails, and other recreational uses in portions of the Greenbelt Plan that are outside of natural heritage features and their associated vegetative protective zones
- The proposed Amendment was circulated to external agencies, Indigenous Communities, Cities of Vaughan and Markham, and the Province for comment. Notices of complete application were issued and the Public Meeting was advertised in local Vaughan and Markham newspapers, in accordance with the *Planning Act*
- This background information report accompanies the statutory required Public Meeting, where public comments will be heard and recorded
- The Minister of Municipal Affairs and Housing is the final approval authority of this proposed Regional Official Plan Amendment

3. Background

York Region received an application to amend the Official Plan

York Region received an application submitted on behalf of a group of landowners to amend the York Region Official Plan (2010), to change the land use designation for certain Greenbelt lands in the Cities of Markham and Vaughan from “Agricultural Area” to “Rural Area”. The lands subject to the proposed Amendment are shown in Attachment 1. Attachments 2 and 3 show the subject lands relative to their respective local Official Plan land use designations.

The subject lands are immediately adjacent to and/or surrounded by New Community Areas brought into the Urban Area of the Regional Official Plan through [ROPA 2](#) (Vaughan urban expansion area) and [ROPA 3](#) (Markham urban expansion area). ROPAs 2 and 3 changed the land use designation from “Agricultural Area” to “Urban Area”. The lands subject to this proposed Amendment were not included in ROPAs 2 and 3, as these lands are part of the Provincial Greenbelt Plan, which does not permit urban development.

The purpose of this Public Meeting is to receive comments on the proposed Amendment

The purpose of this Public Meeting is to receive oral and written comments from the public. Public participation is an important component of the planning process. Comments received will inform a recommendation report for Council consideration.

The notice of Public Meeting was sent to the prescribed external agencies, including the City of Vaughan, the City of Markham and the Ministry of Municipal Affairs and Housing. A notice was also published in the Vaughan and Markham Metroland Media newspapers on Thursday, March 18, 2021.

The Amendment application was deemed complete on February 12, 2021 and circulated to relevant agencies for review and comment

As required by the *Planning Act*, a notice of complete application was sent to the applicant when all the required information and the Region’s processing fee was received. The Regional Official Plan Amendment application was deemed complete on February 12, 2021.

In addition to the required Public Meeting, the proposed Amendment and supporting materials were circulated to external agencies for review and comment. These comments will be considered by Regional Planning staff and assist in forming a recommendation to Council to either adopt, adopt with modifications, or deny the requested Amendment.

The Minister of Municipal Affairs and Housing is the approval authority of this Regional Official Plan Amendment

Typically, Regional Council has approval authority on amendments to the York Region Official Plan. However, in accordance with Ontario Regulation 525/97, approval of amendments involving a change to prime agricultural areas are not exempt from Ministerial

approval; as such, the Minister of Municipal Affairs and Housing retains the approval authority.

Should Regional Council adopt the Amendment, it will be sent to the Minister's office for consideration. The Minister can approve, modify and approve, or deny the Amendment.

4. Analysis

Provincial Greenbelt Plan designates the subject lands Protected Countryside

The lands subject to the proposed Amendment are designated Protected Countryside by the Provincial Greenbelt Plan. The Protected Countryside lands are intended to enhance agricultural and environmental protected lands and are made up of an Agricultural System and a Natural System, together with a series of rural settlement areas.

The Agricultural System is a group of inter-connected elements. It has two components: the agricultural land base, which is comprised of prime agricultural areas, including specialty crop areas, and rural lands that together create a continuous, productive land base for agriculture, and the agri-food network, which includes infrastructure, services and assets important to the viability of the agri-food sector.

The Natural System identifies lands that support both natural heritage and hydrologic features and functions, including providing for pollinator habitat, which is an essential support for agricultural production and for ecosystems. Both systems maintain connections to the broader agricultural and natural systems of southern Ontario.

While providing permanent agricultural and environmental protection, the Greenbelt also contains important natural resources and supports a wide range of recreational and tourism uses, areas and opportunities, together with a vibrant and evolving agricultural and rural economy in accordance with Section 1.1, Context of the Greenbelt Plan.

The Greenbelt Plan permits complementary recreational uses

In addition to protecting the agricultural system and the natural system, the Greenbelt Plan permits parkland, open space and trails as articulated in Section 3.3.1 which states that:

"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. This system currently supports a variety of passive and active uses as well as health, economic and other quality of life benefits within the Greenbelt."

Section 3.3.3. of the Greenbelt Plan permits municipal parkland, open spaces and trails within the Protected Countryside. It directs municipalities to provide a full range of publicly accessible built and natural settings for recreation, including facilities, parklands, open space areas, trails and water-based activities which support an active, healthy community lifestyle.

York Region Official Plan designates the subject lands Agricultural Area

The lands subject to the Amendment are designated Agricultural Area by the York Region Official Plan. There are several policy overlays that also apply. Table 1 lists the applicable land use designation and policy overlays.

Table 1
Applicable Designation and Policy Overlays

Regional Official Plan Map No.	Designation/Policy Overlay
Map 1, Urban Structure	Greenbelt Plan – Protected Countryside
Map 2, Regional Greenlands System	Regional Greenlands System
Map 3, Environmentally Significant Areas and Areas of Natural and Scientific Interest	Natural Heritage System of the Greenbelt Plan
Map 4, Key Hydrologic Features	Provincially Significant and Provincial Plan Area Wetlands
Map 5, Woodlands	Woodlands
Map 8, Agricultural and Rural Area	Agricultural Area

Passive and active recreation uses are permitted in Agricultural Areas identified in the Regional Official Plan as Conservation Area/Regional Forest or Provincial Park/Nature Reserve

The purpose and intent of the proposed Regional Official Plan Amendment, to change the land use designation from Agriculture Area to Rural Area, is to permit parkland, trails, and other recreational uses. Such recreational uses are generally not permitted in the Agricultural Area but are permitted in the Rural Area. The Agricultural Area designation does permit recreation uses in specific instances; Regional Official Plan policy 6.3.15 states:

“That in addition to uses permitted in policy 6.3.2 of this Plan, on those lands identified on Map 5 as Conservation Area/Regional Forest or Provincial Park/Nature Reserve, a full range of public open space uses, including environmental education and demonstration projects, passive and active recreation, and associated facilities are permitted.”

In conformity with the Greenbelt Plan’s Protected Countryside designation, the Regional Official Plan permits public open space uses, passive and active recreation, and associated facilities in certain Agricultural Area designated lands.

The subject lands are within the Regional Greenland System

The subject lands are also wholly within the Regional Greenland System. This policy overlay protects the natural heritage system by prohibiting development and site alteration (Regional Official Plan Policy 2.1.9). Notwithstanding this policy, certain uses that are supported by approved environmental impact studies are permitted. These permitted uses include stormwater management systems/facilities, passive recreational uses, water and wastewater systems and streets. A full range of agricultural uses are permitted within the Regional Greenland System subject to meeting the requirements of applicable Provincial Plans.

There are wetland and woodland features within the subject lands

The Regional Official Plan identifies several environmental (wetland and woodland) features within the subject lands as listed in Table 1. According to Regional Official Plan Policy 2.2.35, “development and site alteration is prohibited within evaluated wetlands and all identified wetlands within the Greenbelt Natural Heritage System.” According to Policy 2.2.44, “development and site alteration is prohibited within significant woodlands and their associated vegetation protection zone.” The Amendment proposes parkland, trails, and other recreational uses within portions of the subject lands that are outside of these natural heritage features and their associated vegetative protective zones.

Need to determine whether active parkland and recreational uses directly associated with urban development conforms with the Greenbelt Plan

The central issue is with the type and planned function of the potential parkland, trails, and other recreational uses. The subject lands are immediately adjacent to and surrounded by New Communities within the Urban Area and any parkland, trails, and other recreational uses are intended to serve these communities, potentially as dedicated parkland.

The evaluation of the proposed Amendment will need to consider the planned function of the potential parkland, trails and other recreational uses adjacent to an urban context, and whether the expansion of these urban uses associated with the new community areas into the Greenbelt Plan area is permitted.

5. Financial

There are no direct financial implications associated with this report.

6. Local Impact

The decision to permit changing the York Region Official Plan land use designation from Agriculture Area to Rural Area, primarily to permit opportunities for parkland, trails, and other recreational uses in portions of the Greenbelt Plan that are outside of natural heritage features and their associated vegetative protective zones, has implications across York Region. A consistent approach is required through local Official Plans.

Depending on the outcome of this requested Amendment, the Vaughan and Markham Official Plans may need to be amended to reflect any changes to the land use designation.

7. Conclusion

York Region received an application from a group of landowners to amend the York Region Official Plan by changing the designation on lands within the Protected Countryside of the Greenbelt Plan from Agricultural Area to Rural Area. Lands affected by the proposed Amendment are adjacent to the New Community Areas of the Cities of Vaughan and Markham.

The purpose and intent of the proposed Amendment is to permit parkland, trails, and other recreational uses in portions of the Greenbelt Plan that are outside of natural heritage features and their associated vegetative protective zones.

This Public Meeting information report introduces the Amendment by providing the background, relevant policies and planning context. Comments received during the Public Meeting will be considered by Regional Planning staff and assist in forming a recommendation report to Council.

For more information on this report, please contact Augustine Ko, Senior Planner at 1-877-464-9675 ext.71524 or by email at augustine.ko@york.ca. Accessible formats or communication supports are available upon request.



Recommended by:

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Chief Planner



Dino Basso
Commissioner of Corporate Services



Approved for Submission:

Bruce Macgregor
Chief Administrative Officer

April 30, 2021
Attachments (3)
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