

**Brief to the Standing Committee on General Government
regarding
Bill 27, *The Greenbelt Protection Act, 2003*
at the
Town of Aurora on Friday May 21, 2004**

Region of York

York Region is one of the fastest growing municipalities in Canada with a 2003 year-end population of just over 866,800 persons and estimated employment of 415,000 persons in some 25,000 businesses. Our 2026 population is projected to reach 1.28 million persons with employment projected to reach nearly 700,000 persons.

General Position on the Greenbelt Legislation

Council of the Region of York, at its meeting of January 22, 2004 endorsed a report which recommended support of the Provincial intent to provide growth management initiatives in south-central Ontario and to protect both environmentally sensitive land and the agricultural base as expressed through Bill 27. York Region further supported the proposed changes to the *Oak Ridges Moraine Conservation Act, 2001* proposed by the Bill.

Within this support however, was a caveat that the legislation must provide for the construction of infrastructure and other public projects to support the population and employment growth in York Region and the GTA.

York Region is still of this position and is heartened to see proposed changes to the Minister's Zoning Order which would permit some consideration of development applications permitted during the moratorium imposed by Bill 27.

However, more detail of the Province's specific changes, either through the Minister's Zoning order process or through the approval of the legislation is needed. Our specific public facilities have been previously identified to the Greenbelt Task Force and the Minister of Municipal Affairs and Housing.

I must put forward the two specific issues formally identified by York Region Council, and I wish to comment with respect to overarching themes, government direction and specific changes required to the proposed legislation.

Overarching Themes and Government Direction

Bill 27 is a necessary first step to enable the Province and its partner Regions, municipalities and stakeholders to refine existing and additional Greenbelt components. Meaningful, thoughtful public consultation is necessary to shape further Greenbelt components. It is the Region's intention to participate in the on-going consultation exercise and will make presentations to the Task Force based on the Discussion paper recently released and further information released by the Task Force.

York Region considers itself a leader in environmental planning and Securement initiatives. Greenbelt components are well defined in York Region with the Oak Ridges Moraine Official Plan changes, Regional/local Greenlands systems & north south river-valleys. Many of these elements are already provided protection (though perhaps not to the extent envisioned by some, including Greenbelt Task Force members) within approved Regional and local Planning documents.

The Region of York, in partnership with the Oak Ridges Moraine Foundation, the Oak Ridges Moraine Land Trust and the Nature Conservancy of Canada has developed an acquisition and securement strategy for key environmental lands. These partnerships are gaining momentum and have been working to secure a Greenland legacy in the Region. To date our program has annual funding of \$1.4 Million and with our partners has resulted in the securement of over 400 acres of priority Greenlands in the Region.

There are other necessary components that fall within the purview of the *Greenbelt*

Protection Act that merit careful consideration including, tableland woodlots and how they are secured, wetland systems on and off the Moraine, agricultural lands and the upper reaches of stream systems.

As a first step in their protection, the Province should expedite development of a proactive Provincial Policy Statement to support our established urban structure and our growth management and city building initiatives. We have heard clearly in our consultations on centres and corridors, the Oak Ridges Moraine the Transportation Master Plan that new or different plans are not needed. It is a time for action.

Further, if it the Province's intent to protect natural features and systems, of which we are in full support, then additional initiatives must be implement now to

- promote city building in our existing settlement areas
- consider critical infrastructure needs
- prevent leap-frogging of development over Moraine & Greenbelt areas, and
- implement Agricultural Action Plans

Since 1994, with the approval of the Region of York Official Plan, the Region has implemented advanced growth management & community building plans. Our successes include:

- Comprehensive & compact community building in the face of population growth of approximately 40,000 persons per year for the past 3 years.
- Urban boundaries,
- Greenlands Policy and Structure,
- Agricultural & rural policies,
- Fiscal initiatives

We recognize however that further improvement required in:

- transit,
- housing,
- intensification,
- centres & corridors

In order to make these improvements we require implementation tools including:

- Fiscal drivers & financial tools to shape urban form & act as a “catalyst” for compact development
- Land use policy changes & new supporting program initiatives to support our centres and corridors (parking authorities, housing supply strategy, Transportation Management Associations)
- Infrastructure investment in our urban areas, most notably transit
- Public sector needs to be involved - Continue to educate the public with an Emphasis on long term sustainability and quality of life issues – “Life Cycle”

Consideration must be also given to the impact of the Greenbelt Legislation on lands outside of the Oak Ridges Moraine and the Greenbelt area to prevent leap-frogging of the development to other areas. All municipalities between current developed areas and this proposed development will pay the price in terms of increased traffic and its attendant impact on existing road systems, air quality, natural systems and the quality of life for our residents. Further dispersed development in this form will cost more to service than city building in existing communities, in an era when available public funds should be directed to supporting redevelopment and intensification in existing settlement areas.

Requested Changes to the Draft Legislation

Bill 27 in the Region’s view is the enabling tool for further work to occur. But in order for this further work to occur, this the legislation must be given third reading and proclamation quickly to afford certainly to residents, agencies and private interests affected.

York Region has previously written to Minister Gerretsen and the Task Force in regard to one particular public project on appropriately designated, zoned and serviced land. This project to provide additional transportation and works accommodations has been tendered, but is currently held up by Bill 27, because final approval of a plan of subdivision on the lands is required.

It is our submission that where projects do not fundamentally impact or prejudice the larger Greenbelt intent, in the determination of the elected Council, the legislation should allow these projects to proceed without delay. Changes to the Minister's zoning order, recently announced, may assist in this regard, however, until the precise wording is available sometime after May 25, 2004, it will not be known whether the changes will provide the relief the Region of York and others have been seeking.

Specific changes to the current legislation wording the Region requests include:

- A change in the definition of “urban settlement area” in both the Bill and the zoning order to recognize as an “urban settlement area”, those *non-agricultural uses that comply with an applicable official plan (without reference to upper or lower tier or single tier) approved on or before December 15, 2004 and/or those lands zoned for non-agricultural uses in a zoning by-law in effect on December 15, 2004.*
- Regarding the changes proposed to the *Oak Ridges Moraine Conservation Act, 2001*, the Region supports changes to transition sections that have proven problematic since proclamation of the *Act*, but respectfully requests that the changes be retroactive to the date of passage of the *Moraine Act*, not the *Greenbelt Protection Act* as currently proposed.

The changes to the *Oak Ridges Moraine Conservation Act* involve Sections 15 (dealing with transitional provisions), 17 (dealing with further approvals) and 18 (dealing with matters appealed to the OMB). The *ORMCA* is a complicated Act and particularly for Section 17 could be further complicated if new rules are approved with different effective dates than the balance of the *ORMCA* – effectively we may

need transition provisions for the transition provisions.

The Region recognizes that a number of private development applications have been granted transition status by the OMB because of ambiguity in the present *ORMCA wording*. While there may be a need to provide consideration for these previously made decisions, there is no need to further confuse and complicate the *Oak Ridges Moraine Act* by multiple effective dates for Section 17.

- Further, we note that the *Greenbelt Protection Act* is proposed to be repealed on December 16, 2004. As currently worded, it could also be argued that the sections of the *Oak Ridges Moraine Conservation Act* would also be repealed on that date. We respectfully request that the changes to the *Oak Ridges Moraine Conservation Act* remain in force and effect beyond the sunset date of the *Greenbelt Protection Act*.

Mr. Chairman, the Province has embarked on a far reaching and important initiative with the introduction of Bill 27 and other proposed Bills. They cannot be looked at or formulated in isolation and they all must support other growth management and city-building initiatives.

York Region will assist the Province in the achievement of these initiatives. Our suggestions represent good planning and are in the public interest and we look forward to the Province's support in bringing much needed action to the principles of the York Region Official Plan and other Regional Official Plans in south-central Ontario.

Respectfully Submitted

Original Signed by Bryan W. Tuckey

Bryan W. Tuckey, M.C.I.P., R.P.P.
Commissioner of Planning and Development Services
Regional Municipality of York

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