



CORPORATE DEVELOPMENT COMMITTEE

TO: To the Chair and Members of the Corporate Development Committee
FROM: Rob Trotter, Director of Planning
DATE: October 20, 2015
REPORT NO: CD 15-114
SUBJECT: 2015 Coordinated Provincial Land Use Plans Review
PURPOSE: For recommendation

RECOMMENDATION:

That Council receive the Report No. CD 15-144 regarding the potential expansion of the Greenbelt; and,

OPTION 1

That Council directs staff to forward Report No. CD 15-144 and MAP 1 to the Ministry of Municipal Affairs and Housing in order to inform the process of Greenbelt expansion which identifies lands that are appropriate for possible Greenbelt expansion which does not include agriculturally designated lands;

OR

OPTION 2

That Council directs staff to forward Report No. CD 15-144 and MAP 2 to the Ministry of Municipal Affairs and Housing in order to inform the process of Greenbelt expansion which identifies lands that are appropriate for possible Greenbelt expansion which includes agriculturally designated lands;

STRATEGIC PLAN GUIDANCE:

To ensure our community is healthy, safe and progressive.

FINANCIAL CONSIDERATIONS:

None

EXECUTIVE SUMMARY:

The Provincial government has initiated a coordinated review of four of its land use and environmental protection plans which apply to municipalities within the Greater Golden Horseshoe (GGH), including Brant County. These four plans are:

- The Growth Plan for the Greater Golden Horseshoe
- The Greenbelt Plan
- The Oak Ridges Moraine Conservation Plan
- The Niagara Escarpment Plan

Neither the Oak Ridges Moraine Conservation Plan, nor the Niagara Escarpment Plan pertain to the County of Brant, and therefore no consideration of changes to those plans is necessary.

Council has already considered 3 reports on this matter to date:

- PA 15-32;
- CD 15-04; and,
- PA 15-41.

Based on the input of various Advisory Committees, On August 4, 2015, Planning Advisory Committee supported Report No. PA 15-41 which recommended that the Greenbelt boundary should remain largely as is, and that any expansion of the Greenbelt should be based in science, and not arbitrary criteria such as roads, municipal boundaries or hydro corridors.

This report was presented to the Minister of Municipal Affairs and Housing at the August AMO meetings, and representatives from Council were advised that it is the Province's interest to expand the Greenbelt and that the County should provide advice to the Province in order to both inform the process, and assist the Province in determining areas within the County of Brant that are appropriate for expansion of the Greenbelt.

On the basis of the direction given to Council representatives by the Minister, staff has prepared this report which outlines options for Council's consideration with respect to Greenbelt expansion.

REPORT:

County staff has had numerous discussions with representatives of the Ministry of Municipal Affairs and Housing (MMAH) since the August presentation of staff Report PA 15-41 at AMO in late August. Staff was awaiting the submission of a report on the Greenbelt expansion by a group led by David Crombie, however staff has been advised that if comments are not received by the Province prior to the end of November 2015, then submissions will not be effective.

Planning Staff has therefore prepared two options for Council's consideration with respect to Greenbelt expansion.

Provincial criteria to expand the Greenbelt (2008)

In March and April of 2008, the Ministry of Municipal Affairs and Housing consulted on draft criteria to be used to consider potential municipal requests to grow the Greenbelt. Based on this consultation, the Province has put in place criteria to assess requests from local governments to expand the Greenbelt. In discussions with the Province regarding the Greenbelt expansion, Provincial staff recommended that County staff use these following 5 criteria as a reference in informing the process related to Greenbelt expansion.

- 1) The expansion should be a municipal request and supported by a Council resolution. Not applicable in this case. The Municipality has been advised that the Greenbelt will be expanded, and to provide input into that expansion if they wish to inform the process.
- 2) Additions should have a functional relationship or is adjacent to the Greenbelt.
- 3) Additions should embrace the Greenbelt purpose and meet the intent of the vision and one or more goals of the Greenbelt Plan

- 4) One or more of the Greenbelt systems (natural heritage, agricultural system, and water resource system) is identified and included in the proposed expansion area and their functional relationship to the existing Greenbelt is demonstrated.
- 5) The Extension complements the Growth Plan for the Greater Golden Horseshoe.
- 6) The extension request has relationship to other provincial initiatives (e.g. the other growth plans review).

Recommended areas for County Council to consider for Greenbelt expansion:

- Natural heritage areas.
- Water resource/wellhead protection areas (e.g. wellhead protection zones and moraines).
- Agriculturally designated areas with Class 1 soil types.
- Creeks and valleylands

Recommended areas to avoid with respect to Greenbelt expansion:

- Existing settlement area boundaries per the County of Brant Official Plan (CBOP).
- Areas outside of settlement boundaries, but designated for uses other than agricultural in the County of Brant Official Plan (to provide for 'grandfathering').
- Boundary negotiation areas currently under discussion with the City of Brantford.
- Areas that would undermine Provincial interests in other areas (e.g. aggregates).
- 403 East Brant 'corridor' (Sect. 1.3.2.3. of PPS - policies re employment lands along major transportation corridors).
- Areas of Petroleum resource operations (Sect. 2.4.2.1. of PPS – policies re petroleum resources)

Impact of including Agricultural Areas in the Greenbelt consideration.

The most significant and most controversial of the areas to be considered for Greenbelt expansion are those lands currently designated Agricultural in the CBOP. In other municipalities with lands within the Greenbelt, agriculturally designated lands have been included in the Greenbelt, and classified "Protected Countryside".

What is the "Protected Countryside?"

These are lands that are subject to the entirety of the Greenbelt Plan and its policies. It includes three key policy areas: The Agricultural System, the Natural System and Settlement Areas.

What does being in the "Protected Countryside" mean, and how does it affect landowners of agricultural lands?

This is the key question regarding Greenbelt expansion, and Council has specifically asked for information to help consider this question. To assist Council, staff has reviewed a number of documents regarding the Greenbelt, and most significantly a submission to the Friends of the Greenbelt Foundation by University of Guelph Professor Wayne Caldwell entitled Farming in Ontario's Greenbelt: Possibility Grows Here (June 2013). In his submission Mr. Caldwell devotes an entire chapter to farmer perspectives on the Greenbelt.

The research completed for this included focus group discussions throughout six regions of the Province, including Durham, Peel, Halton, Hamilton, York and Niagara. The following 10 points were identified as common Challenges to farmers:

- 1) Too many layers of Government and too much legislation.
- 2) Inconsistency in interpreting provincial policies across municipalities.
- 3) Inconsistent ministry objectives (e.g. OMAFRA vs MNR)
- 4) Lack of understanding of agriculture by municipal staff, the public and politicians.
- 5) Cost to meet requirements of legislation.
- 6) Perception of inappropriate expansion of mandates of stakeholder (e.g. CA's, MNR) based on Greenbelt policies.
- 7) Misinterpretation of key hydrological features (Niagara Region predominantly).
- 8) Challenges in selling land (farmers don't want to farm it, developers don't want to buy it).
- 9) Inconsistency in original establishment of Greenbelt boundaries.
- 10) Cynicism that providing input will lead to positive changes for farmers.

Despite having expressed these concerns, farmers advised that they did in fact want their land protected from development and appreciated the intent of the Greenbelt Plan which is to "identify where urbanization should not occur in order to provide permanent protection to the agricultural land base and the ecological features and functions occurring on this landscape." (Greenbelt Plan). Farmers reported that they were able to proceed with business investment knowing that neighbouring land would not be sold for development in the near future which could potentially impact their agricultural operations due to MDS requirements and other development criteria. The farming community expressed suggestions for improvement to the Greenbelt Plan from both an economic perspective and a regulatory perspective, however this is the purview of the Province in their review of the Greenbelt policies themselves.

Of course not all landowners have agricultural aspirations, and these landowners may hold different opinions about whether agricultural lands should be included, or excluded from the Greenbelt Plan. That decision rests with the Province. If agricultural lands are included in the area recommended by Council for consideration by the Province, the following Greenbelt policy may ultimately apply to those lands if the Province classifies them as "Protected Countryside":

Section 3.1.3 Prime Agricultural lands

- 2) *Prime Agricultural areas shall not be re-designated in municipal official plans for non-agricultural uses except for:*
 - *Refinement of the agricultural designations; or*
 - *Settlement area expansions (subject to policy restrictions).*

INTERDEPARTMENTAL AND EXTERNAL CONSIDERATIONS:

No other departments were consulted for the preparation of this report; however the Development Liaison Committee has been forwarded a copy for their information as they had requested a copy of the report.

RECOMMENDATIONS:

Given the short timelines that have been given by the Province, staff has taken the approach that in order to inform the process with respect to Greenbelt expansion, staff has generated a list of areas where expansion of the Greenbelt may occur within Brant County, and also areas where it may not.

Staff has taken a science based approach to the recommendations, however with the short timeline to provide comment, some science based data were not attainable to support the recommendations (e.g. groundwater analyses, or watershed/subwatershed studies). Staff would recommend that if the Province wishes to expand the Greenbelt that they perform a science based analysis before determining the extent of Greenbelt expansion.

The criteria for Greenbelt expansion that was provided by the Province from 2008 (attached) are somewhat helpful, but the Province has declined to provide any direction to staff on how much the Greenbelt should grow. This makes informing this process very difficult for both staff, and Council, due to the competing interests and values surrounding growth, especially with respect to the future of agriculturally designated lands as they pertain to Greenbelt expansion.

On the basis of the above noted areas to consider for Greenbelt expansion (i.e. areas to avoid), Planning Staff recommends that those areas identified on Map 1 attached to this staff report be considered by Council for Greenbelt expansion. This is OPTION 1.

Should Council wish to give consideration to adding lands currently designated Agricultural in the CBOP, Council should support Map 2, being OPTION 2 which includes the lands designated Agricultural with class 1 soil types. These lands may then become Greenbelt and be classified as "Protected Countryside" and subject to a higher level of development restriction and review beyond the current Official Plan policies, and the Places To Grow Growth Plan policies.

The critical difference between the two options is that if OPTION 2 is supported, and the Province determines that agriculturally designated lands should be included in the Greenbelt as Protected Countryside, that those lands shall not be re-designated in municipal official plans for non-agricultural uses based on the current Greenbelt policies.

Next Steps

The Ministry of Municipal Affairs and Housing has advised that a DRAFT of the revised Growth Plans will be available in the Spring of 2016, following which there would be further consultation with Municipalities and stakeholder groups.

Respectfully Submitted,

Rob Trotter RPP
Director of Planning

ATTACHMENTS:

Growing the Greenbelt – Province of Ontario, 2008
Map 1
Map 2