



Report to: Development Services Committee

Meeting Date: June 21, 2021

SUBJECT: City of Markham Comments on Proposed Regional Official Plan Amendment No. 7 to Allow Urban Park Uses in the Greenbelt

PREPARED BY: Patrick Wong, MCIP, RPP, Senior Planner, Natural Heritage, ext. 6922

REVIEWED BY: Lilli Duoba, MCIP, RPP, Manager, Natural Heritage, ext. 7925

RECOMMENDATION:

1. That the staff report entitled 'City of Markham Comments on Proposed Regional Official Plan Amendment No. 7 to Allow Urban Park Uses in the Greenbelt' dated June 21, 2021 be received;
2. That Council not support the proposed ROPA 7 application to amend the Regional Official Plan to redesignate the Greenbelt Plan corridors in Markham from 'Prime' agriculture to 'Rural' agriculture to allow active urban parkland/ recreational uses on lands outside of natural heritage features and their vegetation protection zones;
3. That with the exception of permitting stormwater management facilities, trails and road/servicing infrastructure as provided for in the Markham Official Plan 2014, Council confirm support of the use of all of the Greenbelt Plan corridors in Markham for conservation, natural heritage restoration and passive recreational uses rather than active urban parkland and recreational purposes, consistent with the Markham Official Plan, the Future Urban Area Subwatershed Study, the approved Berczy Glen and Robinson Glen secondary plans and the Rouge North Management Plan;
4. That if the ROPA 7 application to amend the Regional Official Plan to redesignate Greenbelt Plan corridors in Markham from 'Prime' agriculture to 'Rural' agriculture is approved, that Markham Council not support active urban parkland and recreational uses and other non-agricultural uses in any resulting designation that may be required for the Greenbelt Plan corridors in Markham, and;
5. That this report and resolution be submitted to York Region and the Ministry of Municipal Affairs and Housing as Markham's comments on proposed Regional Official Plan Amendment No 7;
6. And that staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

Landowners in Vaughan and Markham have submitted a Regional Official Plan Amendment (ROPA 7) to redesignate Greenbelt Plan corridors in the Markham Future Urban Area and in Vaughan from 'Prime' Agriculture to 'Rural' agriculture to allow active urban parkland and other recreational uses. Although the application applies specifically to the Greenbelt corridors in the Future Urban Area (FUA), the redesignation could set a precedent for all Greenbelt corridors in Markham. ROPA 7 will create pressure for not only allowing active urban parkland in the Greenbelt corridors but also for allowing additional non-agricultural uses such as rural residential, commercial, or industrial uses.

Markham staff do not support active urban parkland in the Greenbelt corridors for three main reasons as follows:

1. Markham has consistently planned for the use of the Greenbelt corridor and Natural Heritage System lands for ecological, passive recreation and natural open space uses which are considered to be fundamental to achieving City-wide environmental objectives as well as the development of sustainable communities in adjacent urban areas;
2. The provision of active parkland in the Greenbelt could adversely affect the amount of active urban parkland and greenspace in the FUA communities and elsewhere in Markham if the City is required to provide parkland dedication credit for unanticipated urban parks in the Greenbelt; and
3. The relocation of active urban parkland to the periphery of the FUA neighbourhoods could impact the City's ability to provide active parkland in appropriate locations within walking distance to all residents.

This report provides key considerations and implications relative to natural heritage and parkland planning and recommends that Council not support ROPA 7. In the event that Regional Council or the Province support ROPA 7, staff recommend that active urban parkland uses continue to be prohibited within the Greenbelt corridors lands in the Markham Official Plan.

PURPOSE:

The purpose of this report is to provide comments to York Region on proposed Regional Official Plan Amendment 7 ('ROPA 7'). The ROPA application seeks to redesignate Greenbelt Plan corridors (also known as 'green fingers') in north Markham from 'Prime' agriculture to 'Rural' agriculture thereby allowing portions of the Greenbelt corridors to be used for active urban parkland and other recreational uses.

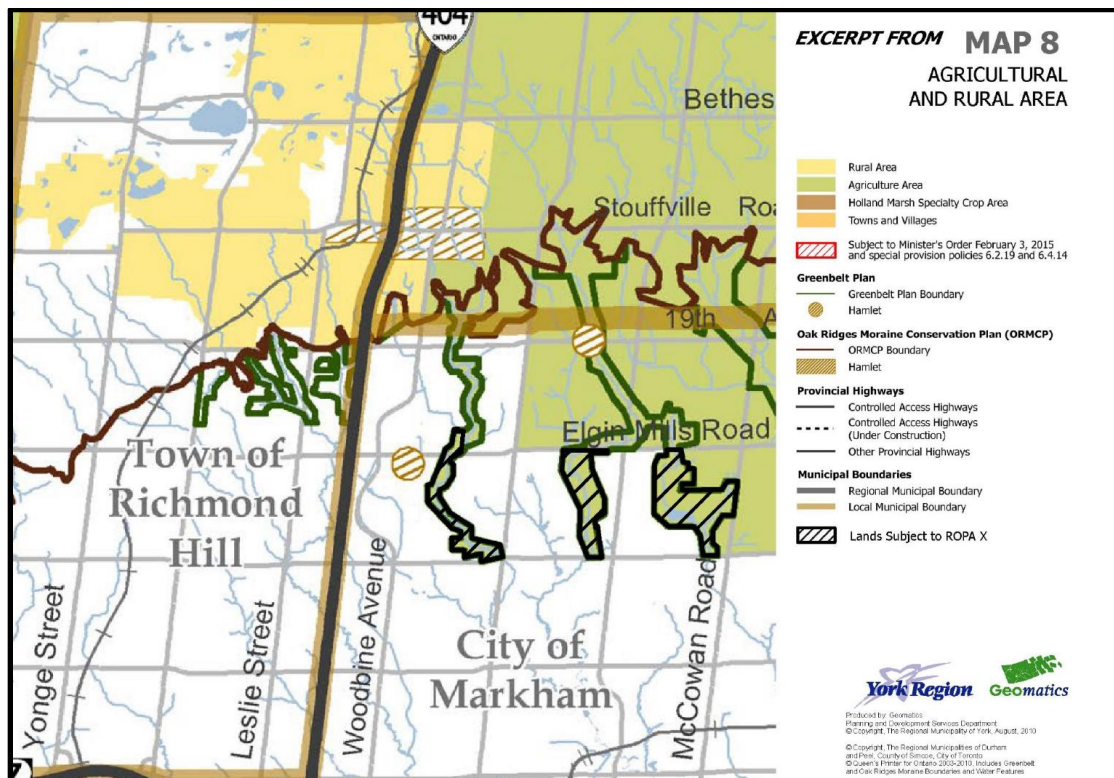
BACKGROUND:

The ROPA 7 application was submitted to York Region by the Angus Glen Landowners Group (Markham), Robinson Glen Landowners Group (Markham) and Block 41 Landowners Group (Vaughan) in February 2021, and circulated to the City for comment in March 2021. The statutory public meeting was held by Regional Committee of the Whole on May 13, 2021. It is anticipated that a recommendation report will be brought to Regional Council for a decision in September 2021. The Ministry of Municipal Affairs and Housing is the approval authority for this application.

The purpose of the proposed Amendment is to redesignate the Berczy, Bruce and Robinson Creek Greenbelt corridors adjacent to the Markham Future Urban Area from 'Prime' agriculture to 'Rural' agriculture to allow portions of the Protected Countryside – Natural Heritage System of the Greenbelt to be used for active urban parkland and other recreational uses. Figure 1 identifies the lands in Markham that are subject to the application.

The intent of the amendment is to permit active urban parkland within the Greenbelt lands that are outside of natural heritage features and their vegetation protection zones. Staff estimate that approximately 39 hectares out of a total of 261 hectares of the Greenbelt lands in the Future Urban Area Planning District are outside of the natural features and buffers or planned infrastructure as identified in the Berczy Glen and Robinson Glen master environmental servicing plans (see Figure 2). A large portion of these lands are proposed to remain as golf course (i.e., Angus Glen Golf Course) with other areas potentially for stormwater management facilities. The amount of active urban parkland proposed to be provided within the Greenbelt lands is not yet known and would be determined through subsequent Secondary Plan and subdivision application approvals.

Figure 1: Lands Subject to ROPA 7 Amendment in Markham



While the application only applies to the lands shown in Figure 1, the applicant's Planning Justification Report suggests that the principle of allowing active urban parkland within Greenbelt lands should also be applied to future urban expansion lands in Markham, which would impact the Greenbelt corridors of the remainder of the Bruce and

Robinson Creeks, Mount Joy Creek, as well as the entire Little Rouge Creek corridor, representing an additional 720 hectares of Greenbelt lands (see Figure 3).

It is noted that the application includes lands outside of the land holdings owned by the applicants, Angus Glen Landowners and Robinson Glen Landowners. The lands identified as part of the application include additional lands owned by the Victoria Glen Landowners and Berczy Glen Landowners which are identified in support of the application, as well as other lands not owned by the applicants (i.e., Romandale Farms as well as individual non-participating property owners). Romandale Farms Ltd. has informed the Region that they object to being identified as a participating landowner for the ROPA 7 application.

DISCUSSION:

The designation of the Greenbelt corridors lands as ‘Prime’ agricultural vs ‘Rural’ agriculture in the Regional Official Plan determines which Greenbelt Plan policies apply

The lands subject to the ROPA 7 application are entirely within the Greenbelt Plan area and are designated Protected Countryside with a Natural Heritage System overlay in the Greenbelt Plan. Within the Protected Countryside, the Greenbelt Plan identifies lands as falling within one of three agricultural designations: ‘Specialty Crop’, ‘Prime’ and ‘Rural’. These agricultural designations are not delineated in the Greenbelt Plan, rather they are delineated in upper-tier official plans (e.g., York Region Official Plan).

The Greenbelt Plan and the Official Plan provide for permitted uses specific to each of these designations. The ‘Prime’ agricultural designation strictly limits non-agricultural uses in the Greenbelt corridor lands (outside of natural heritage features and associated buffers) to municipal infrastructure such as roads and servicing, stormwater management facilities, ecological restoration and passive recreational uses (e.g., walking trails). Active parkland is not permitted within the ‘Prime’ agricultural designation.

The ‘Rural’ agricultural designation allows more flexibility in permitted uses. The redesignation of the lands in Markham from ‘Prime’ agriculture to ‘Rural’ agriculture will create pressure for not only allowing active parkland in the Greenbelt corridors but also for allowing additional non-agricultural uses that are permitted in a ‘Rural’ designation by the Greenbelt Plan. While the ROPA 7 application identifies ‘parkland, trails and other recreational uses’ as the intended permitted uses, a ‘Rural’ agriculture land use designation would also allow consideration of rural commercial, institutional, residential, resource-based uses and other non-agricultural uses intended to support the larger agricultural and rural community. None of these uses are intended land uses for these corridors in Markham.

It should be noted that Markham staff are of the opinion that active urban parkland uses were never intended to be permitted in Greenbelt lands even in a ‘Rural’ agriculture designation. The types of parkland uses permitted in Rural lands identified in the Greenbelt Plan are large land-intensive uses that are normally found in rural areas, e.g., campgrounds, golf courses, ski hills, hiking trails, and larger parks or other recreational

uses. Both the Greenbelt Plan and Growth Plan policies prohibit the expansion of urban settlement areas into the Greenbelt. The inclusion of active urban parkland in the Greenbelt could be interpreted as an expansion of the urban settlement area into the Greenbelt contrary to the intent of establishing a permanently protected landscape in the GTA. Further, allowing active urban parkland that supports adjacent urban development would have the effect of establishing urban uses in protected Greenbelt lands.

In response to a recent request by Regional staff for a definitive decision on this interpretation, the Province has implied that the Greenbelt policies are subject to municipal interpretation. Markham staff's interpretation, which is consistent with the interpretation of planners in other municipalities, is that active urban parkland was never intended in the Greenbelt Plan, and Markham's natural heritage and community planning is based on this interpretation.

Markham staff do not support active urban parkland in Markham's Greenbelt corridors for three main reasons as follows, which are discussed in more detail below:

1. Markham has consistently planned for the use of the Greenbelt corridor and Natural Heritage System lands for ecological, passive recreation and natural open space uses which are considered to be fundamental to achieving City-wide environmental objectives as well as the development of sustainable communities in adjacent urban areas;
2. The provision of active urban parkland in the Greenbelt could adversely affect the amount of active parkland and greenspace in the FUA communities and elsewhere in Markham if the City is required to provide parkland dedication credit for unanticipated urban parks in the Greenbelt; and,
3. The relocation of active urban parkland to the periphery of the FUA neighbourhoods could impact the City's ability to provide parkland in appropriate locations within walking distance to all residents.

1. Markham has consistently planned for the use of the Greenbelt corridor lands for ecological, passive recreational and natural open space purposes

A number of planning initiatives undertaken in Markham over the past 20 years reflect Markham Council's direction for the ecological and passive use of the Greenbelt corridor lands, including:

- Natural heritage, Greenway, and Future Urban Area policies in the Markham Official Plan 2014;
- The Future Urban Area Subwatershed Study and Conceptual Master Plan;
- Secondary Plans for the Berczy Glen and Robinson Glen communities in the FUA (both in effect); and,
- Approval of the Rouge North Management Plan and associated amendment to the 1987 Official Plan (OPA 140)

The policies of the Markham Official Plan 2014 do not support active urban parkland uses in the Greenbelt corridors

The Greenbelt corridors identified in ROPA 7 application are designated 'Greenway' in the Official Plan, 2014. Pedestrian trails and nature-based recreational uses are currently

permitted in lands designated 'Greenway', while active urban parks containing play structures, sports fields and other active recreational uses are not permitted. The existing Angus Glen Golf Course is recognized as a legal existing use under the Official Plan and the Greenbelt Plan and therefore is permitted to continue to operate notwithstanding the 'Prime' agriculture and 'Greenway' designations. It is noted that expansions to existing uses may be considered under section 4.6 of the Greenbelt Plan.

Markham's Official Plan directs all new active urban parkland and other urban uses to lands outside of the Greenbelt and larger Greenway System.

FUA Subwatershed Study, Conceptual Master Plan and approved Secondary Plans all assume natural heritage and non-active parkland and recreational uses

A key component of the comprehensive planning for the new communities in the Future Urban Area was the Subwatershed Study for the Berczy, Bruce, Robinson and Eckart Creeks. The multi-year, multi-discipline Subwatershed Study assessed the cumulative environmental impacts of the planned new communities and employment lands (45,000 new residents and 17,000 new jobs) with the assumption that the Greenbelt corridors would be used for only natural heritage and passive recreational uses.

The Greenbelt corridor lands are important to the overall ecological health and function of the Rouge Watershed and the subwatersheds. These lands contain significant natural heritage features including Provincially Significant Wetlands, Significant Valleylands, Significant Woodlands, Significant Wildlife Habitat, Habitat for Endangered and Threatened Species as well as buffer and restoration lands necessary to protect and enhance these natural features. The Natural Heritage System in the Greenbelt Plan, including the lands outside natural features, is intended to provide essential ecosystem services, including water storage and filtration, cleaner air, wildlife habitat, support for pollinators, carbon storage and resilience to climate change.

As the lands are conveyed or acquired into public ownership, tree planting and restoration works are intended to transition the Greenbelt corridor lands currently being farmed back into a natural state. The protection of these lands within the Greenway System is important to mitigate and offset the overall impacts of planned urbanization that will result in approximately 45,000 new residents in the FUA. In addition, the Greenbelt corridor lands provide a significant opportunity to increase woodland cover and enhance the City's local biodiversity. Markham currently has the lowest woodland cover (7.8%) of all nine York Region municipalities and it is a Council priority to protect and expand woodland and tree canopy cover.

In recognition of their limited viability for continued farming once development occurs, as well as the ultimate planned function of ecological and passive recreational uses, neither the Berczy Glen or Robinson Glen secondary plans (both currently in effect) identify agricultural uses as a permitted use within the 'Greenway' designation that applies to these corridors. Instead the Secondary Plan policies reflect the intent for these lands to transition over time from agricultural uses to a natural state, incorporating trails and other nature-related recreational uses for the benefit of the local community and the City. To this end the Secondary Plans direct development proponents to prepare a Natural

Heritage Restoration Plan to identify ecological restoration projects to be implemented within the Greenway System, including the Greenbelt corridor lands, concurrent with development. Council has already approved two subdivisions in the Berczy Glen Secondary Plan area which include lands within the Greenbelt corridors and required ecological restoration and trails on the Greenbelt lands as a condition of approval.

As Greenbelt lands are conveyed and acquired into public ownership, it is expected that there will be additional ecological restoration opportunities that could be undertaken by the City, TRCA and other community groups (e.g., Trees for Tomorrow community plantings) to further enhance wildlife habitat and community stewardship of the environment. The City is working with the TRCA to prepare a long-term restoration plan for all of the FUA Greenbelt corridors to help inform the design and location of city-led tree planting and wetland projects. Any new permissions for active urban parkland in the corridor would displace much needed lands for potential open space and ecological restoration.

The use of these lands for natural heritage restoration, passive open space and recreational trails, and potentially community gardens where appropriate, therefore does not represent a ‘sterilization’ of land as characterized in the applicant’s justification report but rather provides substantial ecological and recreational benefits to the local community that are integral to the creation of healthy, sustainable and complete communities in the FUA. These planned uses reflect Markham’s environment-first approach to land use planning and the City’s commitment to manage and balance growth against the protection and enhancement of the natural heritage system as a green legacy for future generations.

The Conceptual Master Plan for the Future Urban Area, which provided a broad planning framework on which secondary plans are based, also assumed that all active urban parkland would be provided within the developable area of the communities and not at the edges of the communities in the Greenbelt corridors. The delineation of neighbourhoods and neighbourhood focal points (schools and parks) were based on required parkland being located central to the neighbourhoods.

The Rouge North Management Plan does not support active urban parkland uses within the Little Rouge Creek Corridor

The Greenbelt Plan contains specific policies for the Rouge River watershed given the extensive public investment in establishing the Rouge National Urban Park and its predecessor, Rouge Park North. The Greenbelt Plan (section 3.2.7) requires that planning and resource management decisions within the Rouge River watershed within the Protected Countryside comply with the provisions of the Rouge North Management Plan (RNMP). In the event of a conflict between the Greenbelt Plan and RNMP policies, the more restrictive policies apply.

The RNMP provides the policy framework for protected ecological corridors including the 600 metre wide Little Rouge Creek ecological corridor. This corridor is delineated as Rouge Watershed Protection Area (RWPA) in the 2014 Official Plan. The provision of active urban parkland and recreational uses in the Little Rouge Creek corridor would not

be consistent with the Greenbelt Plan as required by Policy 3.2.7. For the Little Rouge Creek corridor the Rouge Watershed Protection Area boundary includes all of the Greenbelt lands. The approval of ROPA 7 could have major implications to the realization of an interior forest corridor along the Little Rouge Creek if ROPA 7 sets a precedent for allowing active urban parks in other Greenbelt corridors in Markham.

2. The provision of active urban parkland in the Greenbelt could adversely affect the provision of parkland and greenspace in the FUA and across the City of Markham

ROPA 7 could result in an overall reduction of greenspace in the FUA

The FUA Conceptual Master Plan and the approved secondary plans identify all active urban parkland to be located within the urban community outside of the Greenbelt corridors, and further identify the Greenbelt corridors as providing a substantial natural ecological corridor with trails on both sides of the watercourse. It is anticipated that 100 percent of the parkland dedication requirement for the ground-oriented development in the new FUA communities will be in form of park land, while cash-in-lieu of parkland will be accepted for a portion of the higher density developments along Major Mackenzie Drive.

Any new active urban parkland provided within the Greenbelt lands would require the City to give up or reduce the size of planned parkland blocks within the community, as the City cannot require the dedication of parkland above *Planning Act* standards. This would lead to an overall loss of planned greenspace and natural open space within the planned FUA communities.

A further consideration is that if urban parkland (e.g., sports fields) meets the definition of ‘development’ or ‘site alteration’ under the Greenbelt Plan, the Natural Heritage System policies of the Greenbelt Plan (Section 3.2.3.3) would require at least 30% of the park site to naturally regenerate into woodlands/meadows/wetlands. This would preclude the ability to use a large portion of the dedicated parkland for recreational facilities and may result in the under-delivery of both usable parkland and facilities. Active parkland conveyed to the City is typically free of encumbrances to allow for maximum flexibility in the design and siting of recreational facilities. Section 4.1.2 of the Greenbelt Plan further identifies the need for vegetation enhancement plans and a conservation plan for new major recreational uses within the Greenbelt Natural Heritage System which may further complicate the delivery of recreational facilities.

In addition, any use of the City’s parkland acquisition fund to purchase additional active urban parkland in the Greenbelt corridors would reduce the City’s ability to acquire new parks elsewhere in the City. The City faces challenges with providing adequate parkland in new community areas and in intensification areas such as Markham Centre and Langstaff Centre. Staff do not support providing parkland credit for Greenbelt lands at the expense of other active, programmable parkland in the FUA communities or elsewhere in the City.

The plans for the Greenbelt corridor lands as natural open space provide passive recreational opportunities through nature enjoyment, trails and daily exercise which enhances the overall quality of life for future residents and contributes to the development of complete communities. The passive recreational opportunities afforded by the Greenbelt lands work together with active urban parkland within the communities to provide a full range of recreational opportunities and an integrated parks and open space network.

The City's practice is to acquire as much of the Greenway System as possible without the use of parkland dedication resources. It is recommended that the City continue to exclude the Greenbelt corridor lands from being eligible to meet parkland dedication requirements. Where Greenbelt lands are not conveyed through the development process but are desirable for passive public use, the City could consider other mechanisms to achieve the same result including easements, agreements or purchase through the Environmental Land Acquisition Fund.

3. Active parkland in the Greenbelt could impact the ability to provide parkland within walking distance to new residents

Convenient access to local parks is an important component of creating walkable and healthy communities. The identification of a parks and open space system consisting of a hierarchy of community parks, neighbourhood parks, parkettes and open space was central to the development of the Community Structure Plan for the FUA. Parks are planned to function as focal points for each community and in locations that are easily accessible for all residents (within a 5 minute walk to a neighbourhood park and a 10 minute walk to community parks) which support active lifestyles and daily exercise. Parks are also often co-located with elementary and secondary schools to create neighbourhood/community hubs.

As an increasing proportion of Markham's population will reside in medium or high density housing forms, the importance of public parkland and open space will continue to grow. The relocation of parks from central locations within a neighbourhood to the edge of a neighbourhood within the Greenbelt corridors will lead to an uneven distribution of active parkland, an overall loss of greenspace, and will create greater challenges to meet the City's objectives of providing parkland at appropriate locations for the benefit of all community residents. Opportunities to co-locate park and school sites would also likely be more challenging to achieve.

Additional Considerations

Should the ROPA 7 application be approved, the City would have to amend the Markham Official Plan to conform with the Regional Official Plan, including a new policy framework to address a 'Rural' land use classification since there are currently no 'Rural' lands in Markham. Notwithstanding the ultimate Regional Official Plan designation, the City has the ability to be more restrictive in terms of non-agricultural land use permissions to reflect local needs and land use objectives.

Summary and Recommendations

Based on the above considerations, Markham staff do not support active urban parkland in the Greenbelt corridors for the three main reasons outlined:

1. Markham has consistently planned for the use of the Greenbelt corridor and Natural Heritage System lands for ecological, passive recreation and natural open space uses which are considered to be fundamental to achieving City-wide environmental objectives as well as the development of sustainable communities in adjacent urban areas;
2. The provision of active urban parkland in the Greenbelt could adversely affect the amount of active parkland and greenspace in the FUA communities and elsewhere in Markham if the City is required to provide parkland dedication credit for unanticipated urban parks in the Greenbelt; and,
3. The relocation of active urban parkland to the periphery of the FUA neighbourhoods could impact the City's ability to provide active parkland in appropriate locations within walking distance to all residents.

Staff therefore recommend that Council not support the ROPA 7 application. In addition, in the event that Regional Council or the Province support ROPA 7, staff recommend that active urban parkland uses continue to be prohibited within the Greenbelt corridors lands in the Markham Official Plan.

FINANCIAL CONSIDERATIONS

There are no financial implications related to the recommendations of this report.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

ROPA 7 relates to the City's goal to protect and enhance our natural environment and built form identified in Building Markham's Future Together 2020 – 2023 Strategic Plan under 'Safe, Sustainable and Complete Community'.

BUSINESS UNITS CONSULTED AND AFFECTED:

Planning and Urban Design staff were consulted in the preparation of this report.

RECOMMENDED BY:

Marg Wouters, MCIP, RPP
Senior Manager, Policy & Research

Biju Karumanchery, MCIP, RPP
Acting Commissioner, Development Services

ATTACHMENTS:

Attachment 'A': Draft ROPA 7 submitted by the applicant
Figure 2: Greenbelt Plan corridors in the Future Urban Area
Figure 3: Greenbelt Plan corridors in the Whitebelt

Figure 2: Greenbelt Plan corridors in the Future Urban Area

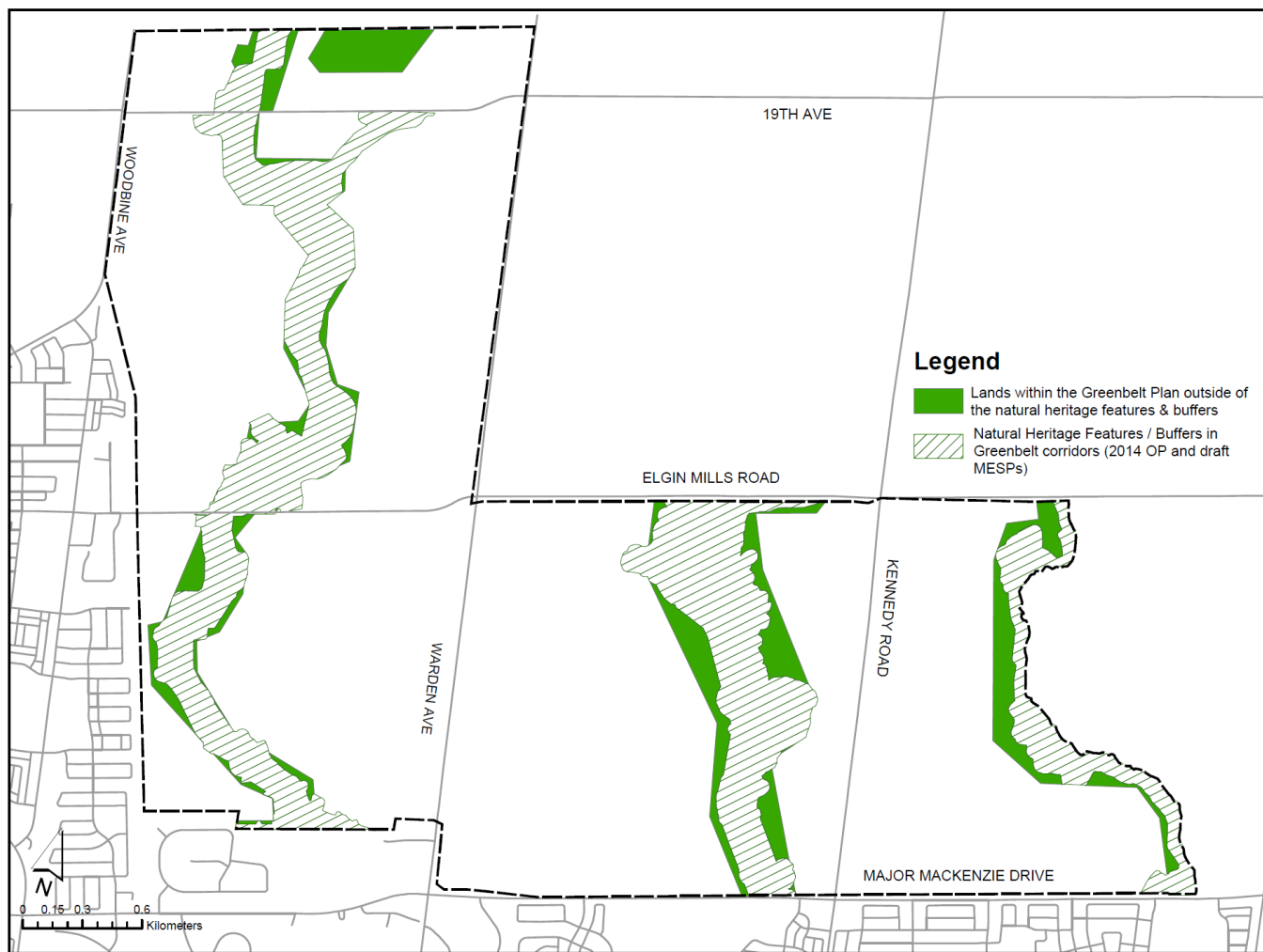


Figure 3: Greenbelt Plan corridors in the Whitebelt

