

**COMMITTEE OF THE WHOLE    SEPTEMBER 17, 2002**

**YORK REGION OFFICIAL PLAN AMENDMENT 37**

**Recommendation**

The Commissioner of Planning recommends:

1.     THAT Council request the Region of York to defer adoption of the portion of the "Forested Lands" mapping pertaining to Vaughan in the draft Amendment 37, pending further review and modification satisfactory to Vaughan;
2.     THAT Staff meet with Staff from the Region of York with respect to the issues identified in the report, and report back to Council on Region of York Amendment 37 as required; and
3.     THAT a copy of this report and the Council minutes be sent to the Region of York.

**Purpose**

To update Council on proposed Amendment 37 to the Region of York Official Plan and to provide comments to the Region on the proposed amendment.

**Background**

The Region of York has commenced the 5-year review of its Official Plan, to be conducted in sections. Amendment #37 addresses four main sections of the ROP, specifically Environmental Policy Areas, Wetlands, Forest Cover and the Rouge North Management Plan. The Amendment proposes updating Map-2 Significant Natural Features, Map 3-Forest Resources and Map 4-Regional Greenlands System. The Amendment is to apply throughout the Region, outside of the boundaries of the Oak Ridges Moraine. A separate amendment addressing environmental features and policies will be required for those lands on the Oak Ridges Moraine, as the Oak Ridges Moraine Conservation Act requires the Regional Official Plan to be brought into conformity with the Oak Ridges Moraine Conservation Plan by April 22, 2003.

Since the approval of the Region of York Official Plan in 1994, updated data on the natural environment has become available, including updated wetland mapping from the Ministry of Natural Resources, (MNR) refined forest cover mapping by the Region and re-evaluations of Environmentally Significant Areas (ESA) mapping by the Toronto and Region Conservation Authority.

The Region of York Planning Department has advised that the amendment is likely to be scheduled for a statutory public meeting before the Regional Planning and Economic Development Committee on November 6, 2002.

**Amendment to the Regional Official Plan**

The changes proposed by Amendment OPA 37 to the Region of York Official Plan are outlined below.

i) Greenlands

Several minor changes are proposed in this section to correct errors and redundancies in the Plan. Staff have reviewed these changes and agree that they are minor and do not affect any interests of the City of Vaughan.

## ii) Wetlands

Since the approval of the ROP in 1994, the MNR has re-evaluated and grouped wetlands into complexes of wetlands. Updates to the mapping are included in the amendment to reflect the Provincially Significant complexes that have been identified, and more detailed evaluation of individual wetlands. The amendment also proposes establishing a minimum 30m vegetated protection zone around individual wetlands and adding “site alteration” as a defined term in the Plan, and as an activity that is prohibited within the minimum vegetated protection zone. The 30m standard and the definition of site alteration have been enacted within the Oak Ridges Moraine Conservation Plan and is included in the Provincial Policy Statement, and will assist in protecting these features within the Region.

With respect to lands in Vaughan, the amendment adds the Tormore - Locally Significant Wetland Complex to Map 2 in the ROP. This complex is located to the west and east of Cold Creek Road, and to the north and south of Kirby Road, and is shown in OPA 600 on Schedule G1. Two deletions to the wetland mapping in Vaughan are proposed, comprised of an area on the north side of King-Vaughan Road between Pine Valley Drive and Weston Road, and another area located on the west side of Keele Street, north of Kirby Road. Planning Staff note that these areas are not shown as wetlands in OPA 600 and no wetland features are present in these areas. Planning Staff have reviewed the locations of the additions and deletions to the wetland mapping and concur that they are appropriate.

## iii) Environmental Policy Areas

The Environmental Policy Area designation includes Environmentally Significant Areas (ESAs) as identified by the Conservation Authorities and Life Science Areas of Natural and Scientific Interest (ANSI) and habitats of vulnerable threatened and endangered species. Since the approval of the RYOP in 1994, the TRCA has undertaken updates of the ESAs and MNR has updated the ANSI mapping. The Environmental Policy Area mapping of the Regional Official Plan is proposed to be revised to reflect this updated mapping.

Staff has reviewed the mapping and is satisfied with the proposed revisions, subject to any comments of the TRCA and MNR.

## iv) Forest Cover

The proposed forest cover mapping has been revised to reflect the minimum area of application of forest patches under the Regional Tree By-law of 0.5 acres. The definitions in the ROP are also proposed to be amended to delete reference to “Regionally Significant Forests” and replace it with the title “Forested Lands”, and replacing the minimum size of 20 ha with 0.22 ha (0.5 acres).

The effect of the change in mapping and definition is that all forests larger than 0.5 acres will now be subject to Section 2.2, Land, subsections 2-11 and 17-19 in the ROP. In particular, the following subsections, as worded in the proposed amendment, are noted below:

### “2.2 Land

It is the Policy of Council:

2. That development applications within or on lands in close proximity to an *Environmental Policy Area* shall be accompanied by an environmental evaluation of the impact the development will have or is expected to have on the environmental features, functions or attributes of the Environmental Policy Area and shall provide details of any mitigative measures that will ensure that the Environmental Policy Area will not be adversely impacted.

3. That where an environmental evaluation has indicated that the development would have an *overall negative effect* on the environmental features for which it was identified, the application will not be approved.
4. That the boundaries and extent of Environmental Policy Areas on Map 2 are approximate and are an overlay to which specific policies apply. Specific delineation or clarification of the boundaries of such areas shall be undertaken by the area municipality and the proponent when applications for development are received. Refinements to boundaries may occur through environmental evaluation or through periodic refinements by the Region. Neither will require an amendment to this Plan.
9. Where an area municipality, through its planning process, requires the preparation of a similar evaluation, Regional Council may waive its requirement for such a study, providing the evaluation satisfies the criteria for regional evaluations.
17. To protect *Forested Lands* shown as an overlay on Map 3 from any *development* or *site alteration* that would have an adverse effect on the natural attributes and functions of the forest resource.
19. That where development is proposed on *Forested Lands* shown on Map 3, an environmental evaluation of the effect of the proposal on the resource will be required as detailed in Section 2.2, Policies 2-11."

All of the proposed wording in Section 2.2 of the ROP is included in Attachment #2 to this report.

Staff have reviewed the proposed "Forest Lands" designations with the areas shown on Schedule "H" Terrestrial Resources in OPA 600. Schedule "H" was updated based on forest mapping from the Region and TRCA as part of the review of OPA 400, which resulted in the adoption of OPA 600 in September 2000. OPA 600, in addition to showing woodland areas, shows hedgerow/scrub, and young and mature plantations. Schedule "H" serves as information purpose only, identifying terrestrial resources within the entire City, and does not designate woodlots for preservation. Woodlots intended for preservation are designated "Tableland Woodlot" on Schedules "B", "B1", "C" and "D" in OPA 600. The proposed "Forested Lands" appear to reflect the woodland and plantation areas in OPA 600, with the exception of nursery operations (Kortright Centre) and Christmas tree farms, which the Region has excluded.

Most of the areas shown in Amendment 37 as "Forest Lands" in Vaughan's Urban Area are forested areas within open space, valleyland or woodlot designations and as such, would be afforded protection under those designations. However, Amendment 37 identifies "Forested Lands" on tableland woodlots in Blocks 10, 11, 32 West, 33 East and 33 West, and in industrial and other residential communities, that were previously assessed by the City as having a "low functionality" and designated for development in OPA 400 and again in OPA 600. In OPA 600, woodlots within the Urban Villages having "high" and "moderate" environmental functions were designated as "Tableland Woodlot", with policies providing for their protection, while woodlots with "low" environmental function were designated for development.

Given that Section 27 of the Planning Act requires that local municipalities amend their Official Plan to conform with the Region's Official Plan, the proposed "Forest Lands" overlay and the Policies in Section 2.2 of the ROP, if approved in its current form, could require amendment of Vaughan's Plan. Further, Section 27(4) of the Planning Act provides that, in the event of a conflict between the Region's Official Plan and a local municipality Plan, the Region's Official Plan prevails.

Staff are of the opinion that further clarification and discussions with the Region are required with respect to the identification of “Forested Lands” within the urban area of Vaughan that are currently designated for development. The recommendation includes that the Region defer adopting the Forest Lands Map for Vaughan, pending resolution of the mapping of forested areas in the urban and rural areas, and that Staff report back to Council, as required.

#### Vaughan Woodlot Functional Assessment Study (Focus Rural Area)

Vaughan is undertaking a functional assessment study of non-evaluated woodlots within the City’s Rural Area and five woodlots within the Employment Area and Woodbridge Community Plan. The purpose of the Study is to address the Official Plan policies in OPA 600 and OPA 450 respecting the assessment of woodlots to determine those of “high” and “moderate” functional significance warranting protection. On May 27, 2002, Council received the draft study prepared by AMEC Earth and Environmental Limited. A public information meeting on the study and draft report is scheduled for September 18, 2002, following which the study will be scheduled for a Committee of the Whole agenda prior to end of the year.

Amendment 37 proposes to identify all forest areas over 0.22 ha (0.5 acres) as “Forest Lands”, with policies protecting them from any development and site alteration that would have an adverse effect on the natural attributes and functions of the forest resource.

Given the City’s woodlot functional assessment study is near completion, adoption of the forest mapping for Vaughan in OPA 37 should be deferred until such time as Council has had an opportunity to consider the Focus Rural Area Woodland Ecosystem Assessment report prepared by AMEC. This would provide the opportunity for Council to consider Amendment 37 and the Functional Assessment study collectively to determine the City’s position on the *Forest Lands* designation and policies in the ROP. The recommendation section includes that the Region defer the adoption of the *Forest Lands* mapping in Vaughan.

#### v) Rouge North Management Plan

In recognizing that the Rouge North Management Plan has been approved by the Rouge Alliance and endorsed by Regional Council in 2001, Amendment 37 replaces policy 2.1.17 respecting collaboration with municipal partners and stakeholders in implementing and monitoring the Rouge North Management Plan. This Amendment does not have a direct impact on Vaughan as the Rouge watershed does not extend into Vaughan.

#### **Conclusion**

Staff has reviewed Amendment 37 to the Region of York Official Plan that proposes updates to the policies and mapping of environmental features, including wetlands, ESAs, ANSIs and forested lands within the areas of the Region outside of the Oak Ridges Moraine. Staff concur that it is appropriate to update the mapping of these features to reflect current information.

Amendment 37 proposes to designate as an overlay, forested lands greater than 0.22 ha (0.5 acres), whereas only those forested areas over 20 ha are currently identified as Significant Forest Lands. While Staff support the Region’s initiative to extend the protection of forested areas to less than 20 ha, there are existing forested areas greater than 0.22 ha (0.5 acres) that Vaughan has determined through past environmental studies, could be developed for urban uses. Clarification on the effect of the Region’s amendment in these areas is required, with an objective that the designations in the local official plan in such cases, be recognized and permitted to continue or alternatively, that the forested areas designated by the local official plan development be deleted. Similarly, until such time as Council has had an opportunity to consider the Focus Rural Area Woodland Ecosystem Assessment, the Region’s adoption of the mapping of *Forested Lands* for Vaughan should be deferred. Should Council concur, the recommendation should be adopted.

**Attachments**

1. Proposed Amendment 37 to the Official Plan of the Regional Municipality of York
2. Region of York Planning and Economic Development Committee June 12, 2002, Report of the Commissioner of Planning and Development, Regional Official Plan Update Draft Natural Environment Amendment

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Respectfully submitted,

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**Proposed Amendment  
37  
to the  
Official Plan  
for the  
Regional Municipality  
of York**

## AMENDMENT 37 TO THE OFFICIAL PLAN FOR THE REGION OF YORK

### PART A - THE PREAMBLE

#### 1. Purpose of the Amendment:

The purpose of the Amendment is to provide updated natural environment mapping and minor policy amendments in the Region of York Official Plan.

The Amendment deals with four main sections of the Regional Official Plan and the Maps 2, 3 and 4:

- Environmental Policy Areas
- Wetlands
- Forest Cover
- The Rouge North Management Plan

#### 2. Location:

This Amendment applies throughout the Region of York, outside of the boundaries of the Oak Ridges Moraine as defined by Ontario Regulation 01/02.

#### 3. Basis:

The Region of York Official Plan was approved in October 1994, and is a key strategic planning document of The Regional Municipality of York covering all aspects of Regional operations and planning.

Over the last two years GIS innovations and updated natural environment data have resulted in improvements in a number of significant areas including:

- The provision of updated wetland mapping from the Ministry of Natural Resources;
- Completion of refined forest cover mapping by Regional staff;
- Improvements and re-evaluations of Environmentally Significant Areas (ESA) mapping by the Toronto and Region Conservation Authority (TRCA).

#### *Greenlands*

Several minor changes are also required within the Greenlands section of the natural environment policies of the Plan. One policy 2.1.8 has syntax errors that are proposed to be corrected. Further, one additional policy, 2.2.8 was found to be redundant in light of other policies and can be deleted.

#### *Wetlands:*

The Ministry of Natural Resources has undertaken a program of re-evaluation and complexing of wetlands throughout York Region. A number of Provincially significant complexes have been identified and more detailed evaluation of individual wetlands has taken place. Policy 2.2.16 of the Regional Official Plan indicates that the Region will initiate an amendment to its Plan if the Ministry reclassifies wetlands.

The amendment also proposes to rename the section from "Wetland Areas" to "Wetlands" and proposes several policy changes to wetland policies to protect wetland features and function by establishing a minimum 30 metre vegetated protection zone around individual wetlands and adding "site alteration" as a defined term within the Plan and as an activity that is prohibited within the minimum vegetated protection zone.

This 30 metre standard and the definition have been enacted within the Oak Ridges Moraine Conservation Plan with the definition also reflected in the current Provincial Policy Statement and from a public policy standpoint will assist in protecting these features within the Region.

It is proposed that the *Wetlands* identification on Map 2 be amended to reflect the updated information and that policies be amended accordingly.

*Environmental Policy Areas:*

The Environmental Policy Area designation in the Regional Official Plan was based on information available during 1992 to 1994. The designation itself includes not only Environmentally Significant Areas (ESAs) as identified by the Conservation Authorities, but also Life Science Areas of Natural and Scientific Interest (ANSI's) and habitats of vulnerable threatened or endangered species.

Since the ROP was approved, the Toronto Region Conservation Authority has undertaken periodic updates of Environmentally Significant Areas in their watershed and the Ministry of Natural Resources has refined the ANSI mapping. It is proposed that the Environmental Policy Area identification on Map 2 be amended to reflect the updated information.

*Forest Cover:*

In 1999, Regional staff in consultation with the Faculty of Forestry University of Toronto undertook a forest characterisation based on the Ecological Land Classification system, recognising the variety of forested landscapes in the Region and the importance of smaller "stepping stone" forest patches to the overall forested landscape. Forest patches that meet or exceed the minimum forest size of .5 acre identified in the Regional Tree By-law have been identified on recent ortho-rectified photography.

The proposed forest cover mapping reflects the minimum area of application in the Regional tree bylaw and is based on the Forest characterisation methodology.

In addition to the above change to the minimum area of forest patches identified on the regional plan, it is also necessary to amend the minimum size of forest patch included in the Definitions Section of the Regional Official Plan and provide an update title for the resource shown on Map 3.

In order to protect the remaining forest cover in the Region, the amendment proposes to identify these areas on Map 3 of the Regional Plan and amend policies in section 2.2 of the Plan to reflect "Forested Lands".

*The Rouge North Management Plan:*

The Rouge North Management Plan has been approved by the Rouge Alliance and endorsed by Regional Council in 2001. While work is still underway to fully articulate the implementation tools for the Management Plan, a number of area municipalities, with lands in the Rouge River watershed are contemplating amendments to their planning documents to provide guidance in dealing with



development applications in the watershed. Clarification of Policy 2.1.17 of the Regional Plan is therefore proposed.

## PART B - THE AMENDMENT

All of the Amendment entitled PART B - THE AMENDMENT, consisting of the attached Policy and Map changes as shown on Maps 1 through 3 being excerpts from Maps 2 and 3 to the Official Plan, constitutes Amendment to the Official Plan for the Region of York.

The Official Plan for the Region of York is hereby amended by the following:

1. Section 2.1 - THE REGIONAL GREENLANDS SYSTEM is amended as follows:
  - a) Policy 2.1.8 by deletion of the words "and which" on line 2
  - b) Policy 2.1.17 is deleted in its entirety to be replaced by the following:
 

"2.1.17 To collaborate with municipal partners and stakeholders in implementing and monitoring the Rouge North Management Plan."
2. Section 2.2 LAND is amended as follows:
  - a) Policy 2.2.8 is deleted in its entirety
  - b) By deletion of the word "Areas" following the word "Wetland" and the addition of an "s" to the same word following policy 2.2.11
  - b) Policy 2.2.12 is amended by the addition of the phrase "and site alteration" following the word "development" on line 1 and by the addition of the following at the end of the clause:
 

"... and to require a minimum vegetated protection zone of 30 metres from any part of the feature."
  - c) Policy 2.2.13 is amended by the addition of the phrase "and site alteration" following the word "development" on line 1;
  - d) The Objectives of the section entitled Forest Resource Areas, are amended by deletion of the phrase "areas of regional significance" on line 1 and throughout Policies 2.2.17 through 2.2.21, to be replaced by the phrase "Forested Lands";
  - e) Policy 2.2.17 is amended by deletion of the words "*Regionally Significant Forest resources* as" on line 1 to be replaced by the words "*Forested Lands*" and by the addition of the phrase "and "site alteration" following the word "development" on line 2;

- f) Policy 2.2.18 is amended by deleting the word “locally significant” on line 3;
  - e) Policy 2.2.19 is amended by the addition of the phrase “and site alteration” following the word “development” on line 1 and deletion of the words “Regionally Significant Forest area” to be replaced by the words “Forested Lands shown on Map 3,”
  - f) Policy 2.2.20 is deleted in its entirety to be replaced by the following:  
 “ To enact Tree Conservation By-laws to protect and conserve *Forested Lands* identified on Map 3 and forested or wooded areas shown in area municipal official plans.”
3. The Definitions Section is amended as follows:
- a) In the Definition of “ Regional Forests”, by deletion of the words “by either the Ministry of Natural Resources or”.
  - b) By addition of the following new definition:  
 “Site Alteration: Activities such as filling, grading and excavation that would change the landform and natural vegetative characteristics of a site, but does not include, the construction of facilities for transportation, infrastructure and utilities uses, approved or permitted under the *Environmental Assessment Act*.”
  - c) By deletion of the title of the Definition “Regionally Significant Forests” to be replaced by the title “Forested Lands”, by the addition of the words “commercial nurseries and” prior to the word “Christmas” on line 2; and by deletion of the number “20 hectares” to be replaced by the number “.22 hectares (.5 acre).”
  - d) By deletion of the title of the Definition “Wetland Areas” to be replaced by the title “Wetlands”.
4. That Map 2 – Significant Natural Features of the Official Plan is amended as follows:
- a) by deletion of the “Environmental Policy Areas” or portions thereof of shown in RED on Figure 1 to this amendment and by the addition of the “Environmental Policy Areas” or portions thereof, shown in PURPLE;
  - b) by deletion of those “Wetlands” or portions thereof, shown in ORANGE on Figure 2 to this amendment and the addition of the Wetlands or portions thereof shown in PURPLE.
5. That Map 3 – Forest Resources of the Official Plan is amended as follows:
- a) by deletion of the word “Significant” prior to the words “Forested Lands” from the Map legend;
  - b) by deletion of the term “Conservation Areas Regional Forests” on the Map legend to be replaced by the term “Conservation Areas/Regional Forests”

- c) by deletion of those "Significant Forested Lands" or portions thereof, shown in RED on Figure 3 to this Amendment and by the addition of those "Forested Lands" or portions thereof shown in PURPLE;
- d) by the addition of the lands shown hatched in BLACK on Figure 3 to this amendment as "Conservation Areas/Regional Forests". (Jefferson property, Baker Sugar Bush,)



# Figure 1 To Proposed Amendment 37

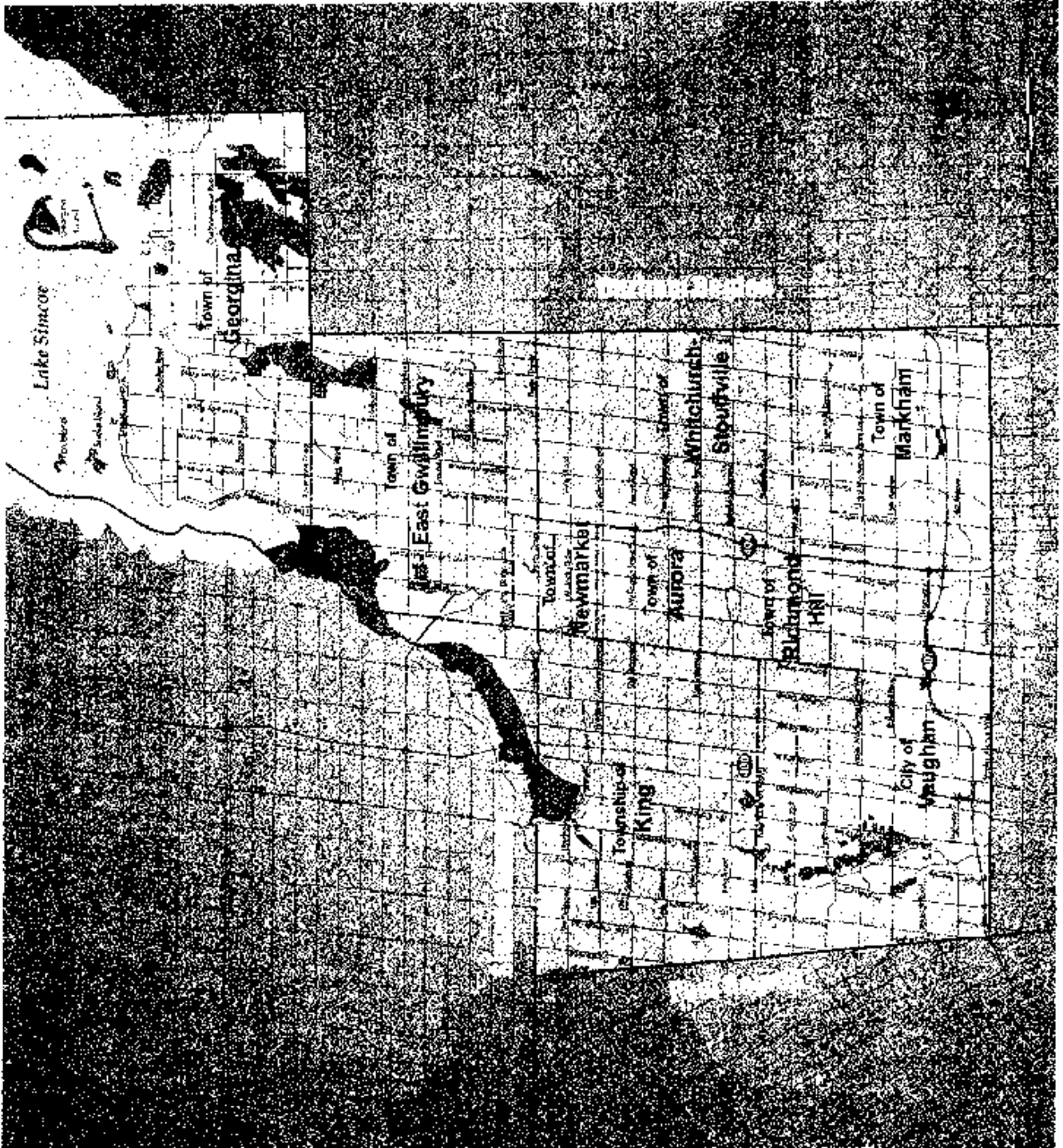
## Significant Natural Features

**LEGEND**

- Multi-Lane Provincial Highway
- Road
- Regional Boundary
- Municipal Boundary
- River
- Lake
- Oak Ridges Moraine Conservation Plan Area
- Current ROP Environmental Policy Areas
- Deletions to ROP Environmental Policy Areas
- Additions to ROP Environmental Policy Areas
- Regional Municipality of York

**York Region Geomatics**

Prepared by:  
Geomatics & Planning  
Planning and Development Services Department  
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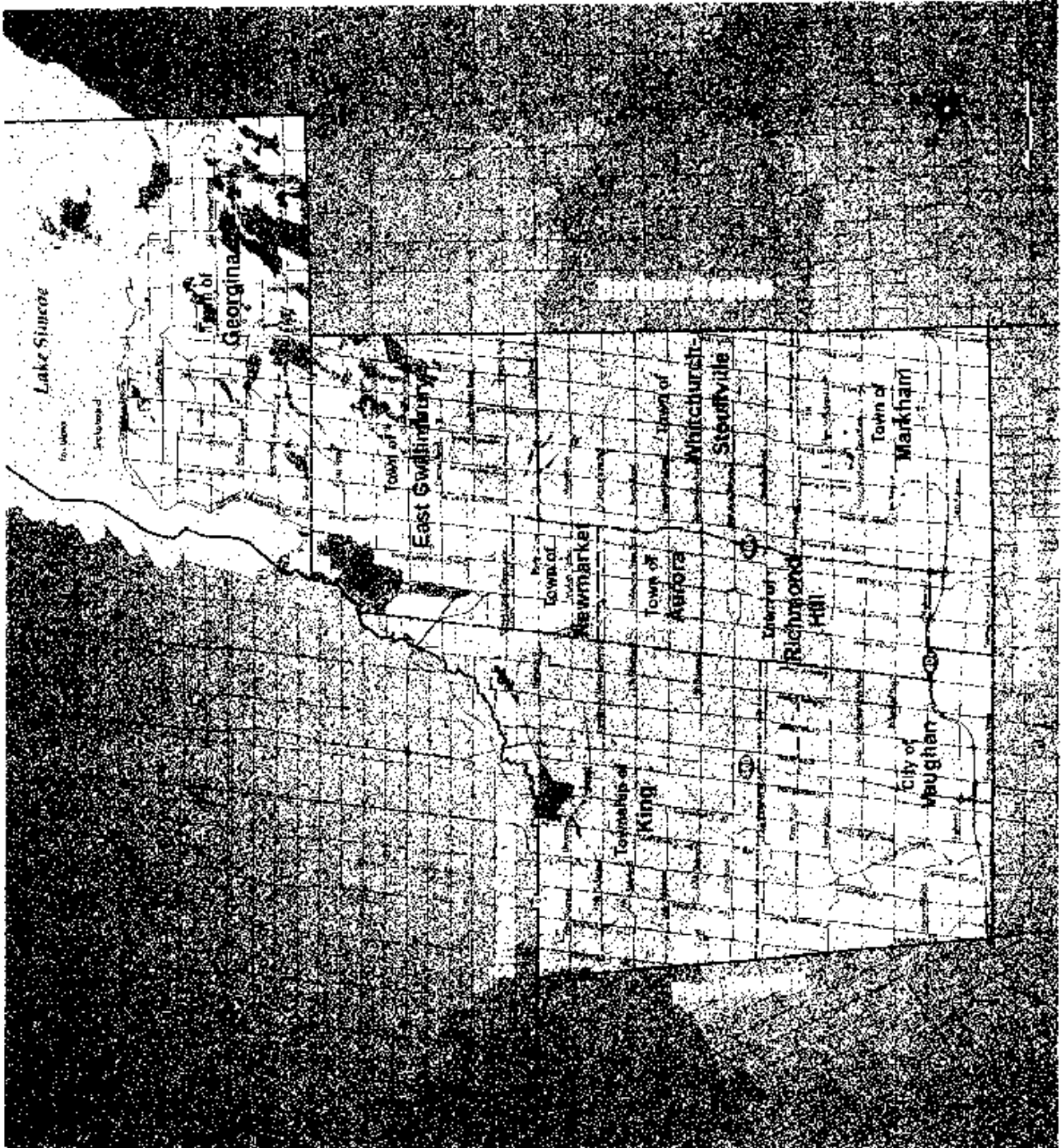
# Figure 2 To Proposed Amendment 37 Wetland Areas

**LEGEND**

- Multi-lane Provincial Highway
- Road
- Regional Boundary
- Municipal Boundary
- River
- Lot
- Oak Ridge Ardenne Conservation Plan Area
- Current RCP Wetlands
- Deletions to RCP Wetlands
- Additions to RCP Wetlands
- Regional Municipality of York

**York Region Geographics**

Produced by:  
Geomatics Division  
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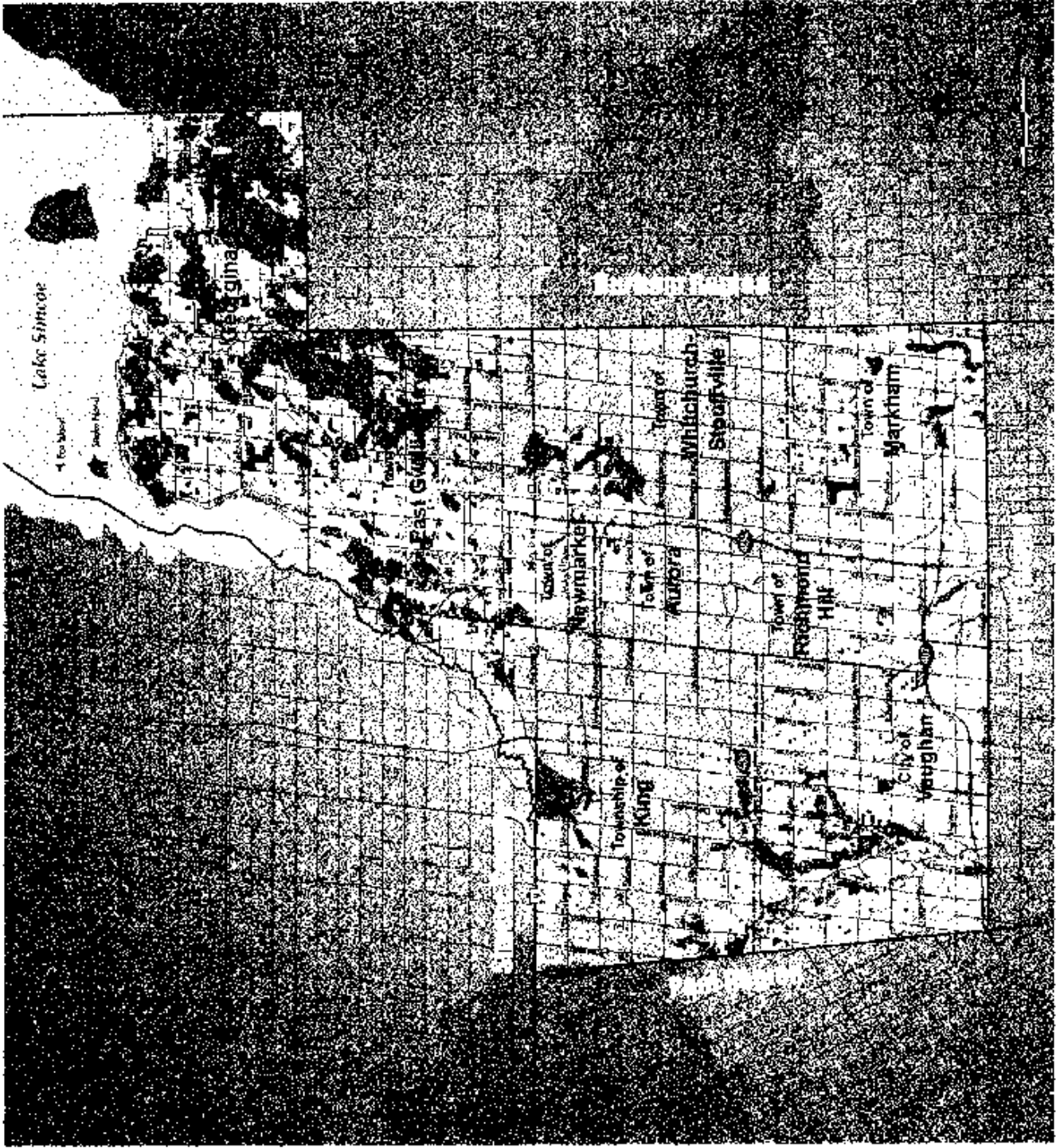
# Figure 3 To Proposed Amendment 37

## Forest Resources

**LEGEND**

- Multi-lane Provincial Highway
- Road
- Regional Boundary
- Municipal Boundary
- River
- Lake
- Oak Ridgeau-Muskeg Conservation Plan Area
- Conservation Area / Regional Forests
- Current ROP - Significant Forest Areas to be removed / Forested lands as per the Amendment
- Divisional ROP - Significant Forest Areas
- Additions to ROP - Forested lands
- Regional Municipality of York

**York Region Geomatics**  
 Produced by:  
 Geomatics Section  
 Planning and Development Department  
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THE REGIONAL MUNICIPALITY OF YORK

Planning and Economic Development Committee  
June 12, 2002  
Report of the  
Commissioner of Planning & Development Services

**REGIONAL OFFICIAL PLAN UPDATE  
DRAFT NATURAL ENVIRONMENT AMENDMENT**

**1. RECOMMENDATIONS**

It is recommended that:

1. This report and the Draft Natural Environment Amendment be received for information and released for public review.
2. A Public meeting, pursuant to the requirements of the *Planning Act* be scheduled for the Planning and Economic Development Committee meeting of October 2, 2002.
3. Regional staff advertise the public meeting date and time in accordance with normal Regional procedures.

**2. PURPOSE**

The purpose of this report is to introduce the specific wording of the proposed Regional Official Plan Amendment dealing with the Natural Environment directed by Planning and Economic Development Committee on May 1, 2002 and endorsed by Council at its meeting of May 16, 2002. The second purpose of this report is to receive public input from the Statutory meeting on the amendment and establish the next steps for consideration of the Amendment.

**3. BACKGROUND**

Regional Council at its meeting of May 16, 2002 endorsed Report Number 11 of the Regional Planning and Economic Development Committee dealing with a series of Proposed Amendments to the Regional Official Plan. The report also directed Regional staff to proceed with the Amendments identified and the timing contained in the work plan.

Due to the need to ensure accuracy of the mapping changes and the importance of ensuring an implementable policy framework to protect the natural environment, Regional staff proposes to release the amendment in draft form at this time. This will permit discussion with area municipalities, ministries, agencies and stakeholder groups over the summer and permit the Amendment to be brought back for the Statutory meeting in October. A copy of the draft Amendment and background information will be posted on the Region's website following the Planning Committee meeting, with a dedicated E-mail address for comments

to be received. Regional staff will also circulate the proposed Amendment to area municipalities, agencies, adjacent municipalities and other stakeholders and arrange meetings with these groups to discuss the Amendment.

The amendment for the Natural Environment deals with four main elements:

- Wetlands
- Environmental Policy Areas (specifically to include ESA updates undertaken by TRCA and ANSI updates by the MNR)
- Forest Cover
- The Rouge North Management Plan

The Amendment does not deal with lands within the Oak Ridges Moraine. Discussion of the substance of the amendment and work plan required to achieve conformity with the Oak Ridges Moraine Conservation Plan is the subject of a separate report on the June 12, 2002 agenda of the Planning and Economic Development Committee.

#### **4. ANALYSIS AND OPTIONS**

This section outlines the background for each part of the amendment and the specific changes proposed. The last section deals with recommend revisions to introductory text and sidebars of the Natural Environmental chapter of the Official Plan. It should be noted that a complete version of the changes (including policy amendments and to introductory text and sidebars) proposed to the Regional Official Plan, Chapter 2 - Sustainable Natural Environment, is contained in Appendix 1 to this report. The proposed Amendment is attached as Appendix 2 to this report. A list of the changes to the introductory text and sidebars is attached as Appendix 3.

##### **4.1 Background to the Amendment**

###### **4.1.1 Wetlands**

The existing Regional Official Plan mapping for wetlands was based on inventory work from the Ministry of Natural Resources as it existed between 1992 and 1994. More recently, the Ministry of Natural Resources has undertaken a program of re-evaluation and complexing of wetlands throughout York Region that has resulted in the identification of a number of Provincially significant complexes and more detailed evaluation of individual wetlands.

While most of this updated mapping will likely be incorporated as part of the Official Plan Amendment to implement the Oak Ridges Moraine Conservation Plan, a number of these wetland complexes are off the Moraine. Policy 2.2.16 of the Regional Official Plan indicates that the Region will initiate an amendment to its Plan if the Ministry reclassifies wetlands.

In October of 2001, the Region received a request from the Markham Environmental Alliance to amend the Regional Official Plan to update wetland mapping in York Region. The initiation of this Amendment responds to the request from the Markham Environmental Alliance.



The Amendment proposes several specific changes to the Wetland Areas section of the Official Plan to clarify and strengthen the policy guidance and protect the features. The specific changes are:

- A renaming of the section from “Wetland Areas” to “Wetlands” to bring the section into agreement with the wording of the Provincial Policy Statement.
- The establishment of a minimum 30 metre vegetated protection zone around individual wetlands as a matter of public policy to protect these features and functions within the Region.
- Addition of the defined term “site alteration” as an activity that is prohibited within the minimum vegetated protection zone and a proposed use that must be evaluated adjacent to wetlands.

#### 4.1.2 Environmentally Significant Areas (ESAs) and Areas of Natural and Scientific Interest (ANSIs)

The Environmental Policy Area (EPA) designation on Map 2 of the Regional Plan includes both Environmentally Significant Areas (ESAs) and Life Science Areas of Natural and Scientific Interest (ANSIs). While these areas have been combined for planning purposes, discrete base information from two different sources is used to provide the EPA designation. Some changes to the overall EPA delineation on Map 2 are proposed to account for recent and updated information.

The original ESA program was undertaken by the Toronto and Region Conservation Authority in the late 1970’s and early 1980’s with the report of ESAs published in 1982. At the time, it was recognized that the program needed to be an ongoing effort in order to assess changes in the ecosystem as a result of direct and indirect impacts of development, improvements in understanding of species populations and rarity and natural succession within the ecosystem. Updates to the original information, including filed investigations and boundary refinements continue to the present time.

As part of the update work, the TRCA has identified a number of Candidate ESAs, where the areas meet the ESA criteria, but the area has not yet been adopted by the Authority’s Board. These areas are not shown on the Regional Official Plan, but will be added as Environmental Policy Areas by amendment when adopted by the Authority. Refinements to ESA boundaries of adopted ESAs are minor and are included in this amendment.

Proposed changes to Environmental Policy Area mapping are reflected on Figures 1 and 2 to Appendix 2 to this report.

#### 4.1.3 Forest Cover Mapping

In 1999 and continuing to this time, Regional staff in consultation with the Faculty of Forestry, University of Toronto undertook a forest characterisation based on the Ecological Land Classification system, recognising the variety of forested landscapes in the Region and the importance of smaller “stepping stone” forest patches to the overall forest ecology. Forest patches that meet or exceed the minimum forest size of .5 acre identified in the Regional Tree By-law have been identified on recent ortho-rectified photography.

The proposed forest cover mapping reflects the minimum area of application within the Regional Tree Bylaw.

In addition to the above change to the minimum area of forest patches identified on the Regional Plan, it is also necessary to amend the minimum size of forest patch included in the Definitions Section of the Regional Official Plan and provide an updated title for the resource shown on Map 3. These changes are reflected in the Amendment

#### **4.1.4 Rouge North Management Plan**

The Rouge North Management Plan has been endorsed by the Region, however there are still a number of outstanding issues related to implementation that are under review and formulation. In order to assist those area municipalities that wish to proceed with amendments to incorporate the provisions of the Rouge North Management Plan into their planning documents, clarification of the existing Policy 2.1.17 is required.

## **4.2 Next Steps**

It is recommended that this draft amendment be circulated widely and meetings arranged with interested parties, area municipalities and other stakeholders. The Statutory Public meeting required by the *Planning Act* will be scheduled for the Planning and Economic Development Committee of October 2, 2002 with the required public notice to be given on or before September 11, 2002.

## **4.3 Revisions to Introductory Text and Side Bars**

Section 1.4 Organization and Approach, of the Regional Official Plan establishes which parts of the Official Plan document are to be considered legally part of the Plan and which parts are provided for information purposes or are non-operative. Specifically, the policies, definitions in italics and the attached maps constitute the Official Plan for the Region of York. Tables, graphics and text located in the margins of the Plan as well as introductory paragraphs in each section are illustrative and not legally part of the Plan. Policy 7.6.1 in the Interpretation section contains a similar policy.

Several revisions to introductory paragraphs, are proposed that do not require an Amendment under the Planning Act. Appendix 3 to this report provides a list of the locations and wording of changes to introductory text and sidebars of the of the Sustainable Natural Environment Section of the Plan. These changes include revisions to the preambles to the Wetland and Forest Resource Areas sections.

The changes to the introductory text and sidebars, noted in Appendix 3, will be incorporated into a consolidation and revised printing of the Official Plan early in 2003.

**5. FINANCIAL IMPLICATIONS**

The preparation of this amendment is to be carried out in-house by staff of the Planning and Development Services Department. Allowances for preparation and advertising have been included in the 2002 Planning and Development Services budget approvals. Should the Amendment result in appeals to the Ontario Municipal Board, the cost of such appeals will need to be factored into the 2003 budget.

**6. LOCAL MUNICIPAL IMPACT**

There may be a need to provide for some adjustments to local plans based on the changes to ROP. This will be explored and discussed with area municipalities during the process. The Region has had preliminary discussion with all area municipalities. Further discussions are anticipated and the area municipal comments will be included in the reporting back to Planning and Economic Development Committee in the Fall.

**7. CONCLUSION**

Amendments to Natural Environment mapping and Policy changes are warranted based on new information and the need to more fully protect environmental features and functions and meet the objectives of the Sustainable Environment section of the Official Plan.

It is recommended that the draft amendment be released for public review and comment and be used as the basis for discussions with area municipalities and other stakeholders. In addition, the Amendment will be scheduled for a Statutory Public meeting, in accordance with the *Planning Act* at Planning and Economic Development Committee on October 2, 2002.

This report has been reviewed by the Senior Management Group.

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13/08/02

Attachments: Appendix 1 - Sustainable Natural Environment  
Appendix 2 - Proposed Amendment 37 to the Official Plan for the Regional  
Municipality of York  
Appendix 3 - Introductory Text and Sidebars

BJ/cq

## 2. Sustainable Natural Environment

A sustainable natural environment is capable of meeting the needs of the present without compromising the ability of future generations to meet their own needs.

The Region's natural areas include wetlands, forests, lakes, river systems and landscape features such as the Oak Ridges Moraine. These areas are the habitat of a variety of species and play an important role in the Region's ecology. Changes to these natural areas and systems can affect the delicate balance between the Region's plant, animal, water, air and landscape systems.

The purpose of this section of the Plan is to identify the functions and attributes of natural areas and corridors and to link them together into a Regional Greenlands System. Some of these areas and corridors are already in public ownership, such as various conservation authority lands, Regional Forests and the proposed Rouge Park. The policies of this Plan are designed to establish, protect and restore this Regional Greenlands System as a permanent resource for the Region. The policies of the plan also identify, protect and help restore definable natural areas and functions such as Environmental Policy Areas, Regionally Significant Forests and Wetland Areas. Most of these areas form part of the Greenlands System.

The Greenlands System in York, along with York's communities and the location of the Region, is an important ingredient for York's quality of life and economic prosperity.

### **Sustainable Natural Environment Goal**

**To conserve and improve the natural environment for this and future generations so that it will sustain life, maintain health and provide an improved quality of life.**

### **2.1 The Regional Greenlands System**

York Region's landscape is composed of a complex geological system which has been shaped by glacial movement, former glacial lakes and river systems, and the underlying bedrock material. The character of York's natural areas has been influenced by this underlying terrain system. York's natural areas are also dependent upon, and contribute to, complex surface and subsurface water systems and plant and animal communities which go beyond local municipal and even regional boundaries.

The purpose of this section is to identify a linked, sustainable, natural environment system, a Greenlands System for the Region. The Greenlands System on Map 4 is based on a thorough scientific understanding of the terrain, plant, animal, water and air systems in the Region. The identification and protection of the Regional Greenlands System will form the foundation through which the Sustainable Natural Environment goal of the Plan can be achieved.

The Greenlands System is the remnant of a forested natural system which covered most of York as recently as 200 years ago. Opportunities exist, through sound environmental management

practices, to rehabilitate and strengthen some of these areas as well as improve the links between the greenland areas.

Each part of the Greenlands System has unique functions, attributes and linkages which must be recognized. As well, each part has different sensitivities or critical elements which will assist in determining the appropriate land use, intensity of development, and design and placement of buildings necessary to protect the ecology of these areas. For example, when considering development in a tableland woodlot, measures may be needed to maintain vegetative canopy cover, maintain permeability of soils and maintain wildlife corridors as part of the larger Greenlands System.

Fortunately, many of these greenland areas are well removed from the path of intensive development, are already protected by public ownership, have physical limitations to development or are owned by individuals who value and wish to protect the natural attributes of their lands. Implementation must be based on fair and equitable treatment of landowners.

The policy approach to the Greenlands System is based on a number of things: a better understanding of the natural systems which help define greenlands and their critical elements; partnerships with public and private agencies, the area municipal landowners and the public; and policies which require the evaluation and protection of the Greenlands System and encourage its restoration. These unique natural areas require a thorough, co-ordinated and innovative approach if the Greenlands System in the Region of York is to be preserved for future generations.

### **Objective**

**To identify, protect and restore the Regional Greenlands System composed of natural areas and connecting links as an essential structural component of the Region.**

It is the policy of Council:

1. To protect and encourage the restoration of the Regional Greenlands System shown on Map 4 and to co-ordinate planning and management initiatives with municipalities adjacent to the Region of York, particularly for those greenlands that are ecologically linked to the Region.
2. To require area municipalities to develop policies which protect and complement the Greenlands System identified in this Plan.
3. To prepare guidelines for the implementation of the Greenlands initiative.
4. To require area municipalities to identify locally significant greenlands in consultation with the Region, the Ministry of Natural Resources and the conservation authorities and to advise the area municipalities in the formulation of rural strategies and local official plan policies which ensure the protection of the Regional Greenlands System.
5. That the boundaries and extent of the Greenlands System on Map 4 are approximate. Specific delineation or clarification of the boundaries shall be undertaken when applications for development are received. Refinements to boundaries may occur through environmental

evaluation or through periodic refinements by the Region, area municipalities and conservation authorities. Neither will require an amendment to this Plan.

6. That development applications within or on lands in close proximity to the Greenlands System shall be accompanied by an environmental evaluation of the impact the development will have or is expected to have on the environmental functions, attributes or linkages of the Greenlands System and shall provide details of any mitigative measures that will ensure that the Greenlands Units will not be adversely impacted. Where an area municipality or public agency, through its planning process, requires the preparation of a similar environmental evaluation, Regional Council may waive its requirement for such a study providing the evaluation satisfies the criteria for regional evaluations.
7. That where an environmental evaluation has indicated that the development would have an overall negative effect on the environmental functions, attributes or linkages for which the lands were identified, the application will not be supported or approved.
8. To encourage area municipalities to establish comprehensive greenlands systems as an integral part of community design, ~~and which~~ recognize regional and locally significant greenlands and provide a framework for the implementation of these systems in a fair and equitable manner.
9. To direct new settlement areas or major land use changes away from the Greenlands System identified on Map 4. Where this is not possible, in new settlement areas as outlined in Section 5 of the Plan, it is the intention of Council to protect the Greenlands System by utilizing, in cooperation with area municipalities, such techniques as:
  - a) justifiable increases in density;
  - b) appropriate reductions and/or modifications in public realm elements through revised development standards;
  - c) reconfiguration of public uses;
  - d) shared facilities;
  - e) other financial arrangements, which may include compensation; and/or
  - f) sharing the equity in protecting the Greenlands System through comprehensive developer agreements and comprehensive public/private agreements.
10. That where the Greenlands System is held in private ownership, nothing in this Plan requires that these lands be free and available for public use. Similarly, Council of the Region of York is not obligated to purchase lands identified as part of the Greenlands System.
11. To prohibit lands identified on Map 4 as part of the Greenlands System from being used for the purpose of a pit or quarry, a wayside pit or quarry, batching/asphalt plants or a new waste disposal site.
12. To cooperate with the conservation authorities, the area municipalities and the Ministry of Natural Resources in establishing, maintaining and improving a data base on the Regional Greenlands System.

13. To co-ordinate efforts between public and private agencies, the area municipalities, landowners and the public in managing and improving the ecological sustainability of the Regional Greenlands System as a whole.
14. To pursue and encourage a wide variety of land stewardship options including easements, trusts, tax incentives and right of way approaches to preserving, enhancing and accessing greenlands.
15. To pursue initiatives through multi-party partnerships to rehabilitate Greenlands and re-establish, where possible, connecting links throughout the Greenlands System.
16. To explore and develop land securement strategies to implement the Regional Greenlands System that are both supportive of and complimentary to local greenland systems.
- ~~17. To cooperate with the Province, area municipalities and adjacent municipalities in the establishment of the Rouge Park and the preparation of a detailed management plan for the Rouge Park north of Steeles Avenue. When the Province approves and releases an implementation plan for the Rouge Park north of Steeles Avenue, the Region will consider an amendment to the Plan if necessary. Until this management plan is completed, land use changes shall only be permitted if consistent with the principles set out in the "Rouge Park Management Plan."~~
17. To collaborate with municipal partners and stakeholders in implementing and monitoring the Rouge North Management Plan.

## 2.2 Land

The natural environmental features of the Region are identifiable land and water areas that provide habitat for a variety of plant and animal species. Many of these areas, such as large upland forest areas, play an important role in the hydrological cycle or in the regulation of microclimate. Other features are landforms that help to define the environmental character of the Region. All of the areas shown on Map 2 contain features that are significant to either the Region, Ontario or Canada.

The policies of this Plan ensure that the functions and attributes of these natural features will be evaluated and protected when land use changes are considered.

### Environmental Policy Areas

*Environmental Policy Areas* identified in this Plan include *Environmentally Significant Areas* and, *Life Science Areas of Natural and Scientific Interest*, and Habitats of Vulnerable, Threatened or Endangered Species.

*Environmentally Significant Areas* (ESAs) contain distinctive or unusual features, perform a key ecological function and/or provide habitat for significant plant and/or animal species. The

*Life Science Areas of Natural and Scientific Interest* (ANSIs) are areas of land and/or water containing natural landscapes or features that have been identified by the Ministry of Natural Resources as having natural heritage, scientific study or educational values requiring protection.



Within the Region of York there are areas, primarily within ESAs and ANSIs, that provide habitat for plant and animal species that are vulnerable, threatened or endangered within the Region, Ontario or Canada. The policies of this Plan protect these habitats or communities, which helps to ensure that the biological diversity of the Region is not diminished. Habitats of Vulnerable, Threatened or Endangered Species are shown together with ESAs and ANSIs on Map 2.

### Objective

To ensure that significant environmental features and functions are preserved.

It is the policy of Council:

1. To protect *Environmental Policy Areas* shown on Map 2. Where development is in compliance with previously approved area municipal official plans and zoning by-laws the effect of the development shall not degrade or otherwise adversely affect the environmental significance of the area.
2. That development applications within or on lands in close proximity to an *Environmental Policy Area* shall be accompanied by an environmental evaluation of the impact the development will have or is expected to have on the environmental features, functions or attributes of the Environmental Policy Area and shall provide details of any mitigative measures that will ensure that the Environmental Policy Area will not be adversely impacted.
3. That where an environmental evaluation has indicated that the development would have an *overall negative effect* on the environmental features for which it was identified, the application will not be approved.
4. That the boundaries and extent of *Environmental Policy Areas* on Map 2 are approximate and are an overlay to which specific policies apply. Specific delineation or clarification of the boundaries of such areas shall be undertaken by the area municipality and the proponents when applications for development are received. Refinements to boundaries may occur through environmental evaluation or through periodic refinements by the Region. Neither will require an amendment to this Plan.
5. To require area municipalities to identify *Environmental Policy Areas* or equivalents in their official plans and zoning by-laws and provide appropriate policies for their protection.
6. To cooperate with the conservation authorities, the ~~Ministry of Natural Resources~~ Ministries of the Province of Ontario and area municipalities in order to further define and better understand *Environmental Policy Areas*, and to promote improved stewardship and protection strategies.
13. To prohibit lands identified on Map 2 as *Environmental Policy Areas* from being used for the purpose of a pit or quarry, a wayside pit or quarry, batching/asphalt plants or a new waste disposal site.

8. ~~That an environmental evaluation may also be required where a development application, because of its proximity, may have an overall negative effect on the Environmental Policy Area~~
9. Where an area municipality, through its planning process, requires the preparation of a similar environmental evaluation, Regional Council may waive its requirement for such a study, providing the evaluation satisfies the criteria for regional evaluations.
10. To maintain a listing of *Environmentally Significant Areas*, Life Science Areas of Natural and Scientific Interest, and Habitats of Vulnerable, Threatened or Endangered Species in the Region in consultation with the conservation authorities, the Ministry of Natural Resources and interested local residents and groups.
11. To encourage private and public landowners with lands containing *Environmental Policy Areas* to manage their lands in a manner that conserves and restores the area.

### **Wetlands Areas**

*Wetlands* are essential natural elements of the regional ecosystem, providing environmental, economic and social benefits. Among other functions, wetlands control and store surface water to assist in flood control and groundwater recharge. *Wetlands* also act as sediment traps to improve water quality and act as habitat for a wide variety of plant and animal species.

The Province of Ontario has enacted a policy statement under the Planning Act that prohibits development in provincially significant *wetlands*. This Plan has regard for the Provincial Wetlands Policy Statement. The Ministry of Natural Resources has undertaken surveys to classify wetlands according to their significance (Classes 1-7). Other smaller wetlands have not been classified. Other wetlands, which have not been identified as provincially significant also exist within the Region. Map 2 shows the general location of evaluated *wetlands* in the Region. More detailed information, as well as more recent wetland evaluations may be available through offices of Ministries of the Province of Ontario offices

### **Objective**

**To ensure no loss of wetland function or wetland area in significant Wetland Areas in the Region.**

It is the policy of Council:

12. To prohibit development within *Wetlands* shown on Map 2 and to require a minimum vegetated protection zone of 30 metres from any part of the feature.
13. To permit ~~development or site alteration with respect to land~~, in accordance with other policies of this Plan, within 120 metres (390 feet) of the wetland, but not within the 30 metre minimum vegetated zone only if it does not result in any of the following:
  - i) loss of wetland function;
  - ii) create subsequent demand for future development that will negatively affect existing wetland functions;
  - iii) conflict with existing site-specific wetland management practices; or
  - iv) result in loss of contiguous wetland area.

14. To require that municipalities designate *Wetlands* in their official plans and ~~in their zoning by-laws.~~
15. To encourage area municipalities, public agencies and private landowners to protect ~~wetlands~~ not identified in the Plan in order to ensure their continuance as wetland features.
16. That boundary refinements or reclassification of *Wetlands* by the Ministry of Natural Resources in consultation with the Region of York will not require an amendment to this Plan. Should ~~wetlands~~ not shown on Map 2 be classified as provincially significant by the Ministry of Natural Resources, the Region will initiate an amendment to Map 2 to identify such wetlands.

### **Forest Resource Areas**

The publicly and privately owned forests in the Region are an important part of the ecosystem. Forests are valued for a range of benefits, including wildlife habitat, recreational opportunities and their role as community separators, and as a source of forest products.

At the time of settlement by Europeans, forests covered 90% of the Region. The forest cover has dwindled to approximately 18% today. ~~Since~~ While much of the remaining forest cover in the Region is fragmented and lacking in interior habitat areas, ~~those regionally significant areas~~ the remaining forested lands are ~~even more~~ important and efforts must be made to ensure their maintenance, and enhancement.

The policies of this Plan and the Regional Greening and Land Securnent Strategies establish a framework for the identification, management and improvement of publicly and privately owned forested lands so that the Region and its partners can focus actions to priority areas to provide ~~will have~~ greater biodiversity and better-quality forest cover in the future.

### **Objectives**

**To protect ~~Forested Lands~~ areas of regional significance and to encourage reforestation to provide environmental, social and economic benefits to the residents of York Region.**

**To increase forest cover to a minimum of 25% of York's total land area from the current 18%.**

It is the policy of Council:

17. To protect ~~Regionally Significant Forest resources as Forested Lands~~ shown as an overlay on Map 3 from any ~~development or site alteration~~ that would have an adverse effect on the natural attributes and functions of the forest resource.
18. To encourage and support area municipalities in protecting ~~forested lands~~ in addition to those on Map 3 and those within the Regional Greenlands System on Map 4. ~~as locally significant forested areas~~

19. That where development is proposed on a ~~Regionally Significant Forest area~~ *Forestal Land* shown on Map 3, an environmental evaluation of the effect of the proposal on the resource will be required as detailed in Section 2.2, Policies 2-11.
20. To enact Tree Conservation ~~By-laws~~ to protect and conserve *Forestal Lands* identified on Map 3 and those identified in area municipal official plans.
21. To encourage and work with the ~~Ministry of Natural Resources~~ Province of Ontario, and other agencies and groups involved in forest management, in maintaining, and enhancing and restoring both publicly and privately owned forested lands, and to encourage landowners to utilize good forestry practices.
22. To support tree conservation initiatives by area municipalities, agencies, private landowners and the development industry including:
  - a) undertaking inventories that identify trees or woodlots that, because of their location, age or species or functions, are worthy of protection;
  - b) establishing methods to protect existing trees during development;
  - c) maximizing the number of trees that can be conserved or established on development sites;
  - d) protecting and maintaining regionally owned forests, and promoting the planting of trees in suitable locations within regional road rights-of-way;
  - e) encouraging reforestation and forest maintenance along streams, valleys and hazard lands to reduce flooding and soil erosion, and to provide fish and wildlife habitat; and
  - f) managing privately owned forest areas in accordance with good forestry practices.
  - g) encouraging and supporting area municipalities to include forest protection and reforestation policies in their official plans.

## **Definitions – New definitions**

### **Site Alteration**

Activities such as filling, grading and excavation that would change the landform and natural vegetative characteristics of land, but does not include, the construction of facilities for transportation, infrastructure and utilities uses approved or permitted under the *Environmental Assessment Act*.

## **Definitions – Changes to Existing**

### **Regional Forests**

Those forested areas that are owned by the Regional Corporation and managed by either the ~~Ministry of Natural Resources or the Region~~ for multiple benefits, including wood production, recreation and wildlife habitat.

### **Regionally Significant Forests**

~~Those forested areas including Regional Forest, not including those areas such as Christmas tree farms, that are greater than 20 hectares in area.~~

### **Forested Lands**

Those forested areas, including Regional Forests, but not including such areas as commercial nurseries and Christmas tree farms, that are greater than .22 hectares (.5 acre) in area.

### ~~Wetland Areas~~ **Wetlands**

Lands that are seasonally or permanently covered by shallow water,<sup>1</sup>...

1. The preamble to the section entitled Wetland Areas, paragraph 2 is revised by deletion of sentences 2 through 4 to be replaced by the following:

“Other wetlands, which have not been identified as provincially significant also exist within the Region. Map 2 shows the general location of evaluated wetlands in the Region. More detailed information, as well as more recent wetland evaluations may be available through offices of Ministries of the Province of Ontario”

2. The preamble to the section entitled Forest Resource Areas is revised by deletion of paragraphs two and three to be replaced by the following:

“While much of the remaining forest cover in the Region is fragmented and lacking in interior habitat areas, the remaining forested lands are even more important and efforts must be made to ensure their maintenance, and enhancement.

The policies of this Plan and the Regional Greening and Land Securement Strategies establish a framework for the identification, management and improvement of publicly and privately owned forested lands so that the Region and its partners can focus actions to priority areas to provide greater biodiversity and better-quality forest cover in the future.”