



# Gatzios Planning + Development Consultants Inc.

File No: 65MA-1116

September 6, 2017

Committee of the Whole  
Planning and Economic Development  
The Regional Municipality of York  
17250 Yonge Street  
Newmarket, Ontario  
L3Y 6Z1

Attention: Regional Clerk's Office, Corporate Services Department

and to:

Ms. Valerie Shuttleworth, Chief Planner  
Community Planning and Development Services

Regarding: DRAFT PROVINCIAL GUIDANCE ON NATURAL HERITAGE SYSTEM AND  
AGRICULTURAL SYSTEM  
REPORT OF THE COMMISSIONER OF CORPORATE SERVICES AND  
CHIEF PLANNER  
DATED SEPTEMBER 7, 2017

Dear Sirs and Madams:

I am writing on behalf of the Berczy Glen Landowner Group (the "BGLG") who collectively owns the lands in the concession block referred to as 'Berczy Glen' in the City of Markham. Berczy Glen is located west of Warden Avenue, south of Elgin Mills Road, north of Major Mackenzie Drive / the estate residential and open space lands on its north side, and east of the hydro corridor / east of Woodbine Avenue.

Berczy Glen contains a north-south valley corridor that contains the Berczy Creek and associated natural environmental features, and designed as 'Greenway' in the City of Markham Official Plan.

The BGLG lands are contained within the Region's ROPA 3 Urban Boundary expansion and within the City of Markham's Future Urban Area, which is designated "Future Neighbourhood Area". Markham's Future Urban Area is the subject of a nearly complete, multi-million dollar landowner funded subwatershed study and related studies intended to support the development of the lands (outside of the Berczy Creek Greenway) for a new residential community, thereby implementing the City of Markham's Official Plan, the Region's Official Plan, and the Province's provincial policies intended to accommodate residential growth on these lands.

The purpose of this letter is to comment on the AGRICULTURAL SYSTEM as addressed in the above-noted Report, specifically as proposed to apply to the Berczy Creek Greenway in the Berczy Glen neighbourhood area.

For reference, we include the following Attachments:

- 1: Map from Province of Ontario Agricultural System Portal (Sept 5, 2017)
- 2: York Region Official Plan Map 8 – Agricultural and Rural Area.
- 3: Markham Official Plan Map 9 – Countryside Agricultural Area.
- 4: York Region Official Plan Map 1- Regional Structure.
- 5: Markham Official Plan Map 3 – Land Use.
- 6: Markham Official Plan Map 12 – Urban Area and Built-Up Area.

In general, we point out that there is an inherent inconsistency in land use direction for the Berczy Creek Greenway as amongst various land use policy directions from the Province, the Region and the City, described as follows.

Attachment 1 being the Province’s Agricultural System draft mapping shows “Prime Agricultural Areas designated in municipal official plans and/or identified by OMAFRA” in the brown tone coincident with the Greenbelt Plan Area Boundary for the Berczy Creek Greenway.

Attachment 2 being Region of York Official Plan Map 8 illustrates “Agricultural Area” in green tone and once again coincident with the Greenbelt Plan Area Boundary for the Berczy Creek Greenway.

Attachment 3 being City of Markham Official Plan Map 9 illustrates an orange line “Countryside Agriculture Area Boundary”, and an orange hatching “Greenbelt Protected Countryside” shade as well, once again both coincident with the Greenbelt Plan Area Boundary for the Berczy Creek Greenway.

In summary, all three of Provincial and Regional document Attachments 1, 2 and 3 indicate that the Berczy Creek Greenway through the future Berczy Glen residential community has an ‘agriculture’ land use and/or land use policies associated with it.

In contrast, turning to Attachment 4 being Region of York Official Plan Map 1 Regional Structure, we note that the Berczy Glen area, outside of the Berczy Creek Greenway, is “Urban Area”, confirming the lands status as urban lands.

Attachment 5 being City of Markham Official Plan Map 3 – Land Use confirms that the Berczy Creek is designated “Greenway”, and the balance of the Berczy Glen lands are “Future Neighbourhood Area”, confirming their status of the location of a pending residential community. We note that the City’s Official Plan contains land use policies for the Greenway designation, which focus on the natural heritage and environmental features of these areas, including preservation, enhancement and the establishment of natural buffers to various environmental features contained in the Greenway.

Attachment 6 being City of Markham Official Plan Map 12 – Urban Area and Built-Up Area confirms that the entire Berczy Glen area is in the “Future Urban Area”.

In summary, all three of Attachments 4, 5 and 6 indicate that the Berczy Glen lands are intended for urban uses, and also that the Berczy Creek Greenway is governed by the Greenway designation policies of Markham's Official Plan, in an urban context.

We believe that the inclusion of the Berczy Creek Greenway in the Province's Agricultural System draft mapping, and continuing to be included within the Region's Agriculture area is inappropriate and in fact conflicts with the various policies providing a natural environmental land use policy regime for the Greenway.

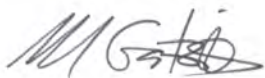
As a result, we suggest that the various Provincial, Regional and City documents and policies be revised to ensure that agricultural policies no longer apply to the Berczy Creek Greenway, and we support the status of the Province's mapping remaining 'draft' until such time as the Region has the opportunity to fully assess the implications and policy modifications that we suggest are required in this matter. Finally, we support the Region revising their Official Plan Map 8 to exclude the Berczy Creek Greenway from the 'Agricultural Area'.

A submission on this matter being made to the Region today by Malone Given Parsons Ltd. on behalf of various City of Markham landowners is also fully supported and endorsed by Berczy Glen.

We are by copy of this letter forwarding our submission to the Province and the City for their consideration of this matter, and we are available to work with the Province, the Region and the City to produce appropriate revisions to these various documents and plans.

Sincerely,

Gatzios Planning + Development Consultants Inc.

A handwritten signature in black ink, appearing to read 'M Gatzios', with a stylized flourish at the end.

Maria Gatzios, MCIP RPP

Copy to: Ms. Jocelyn Beatty, OMAFRA  
Ms. Marg Wouters, City of Markham  
Mr. Robert Webb, BGLG Manager



Search: Find address or place

Layers

**6.1.2 Prime Agricultural Areas designated in municipal official plans and/or identified by OMAFRA**

**6.2 Candidate areas for the Agricultural Land Base (AAFC and OMAFRA)**

**7.0 Crop Production - Land Under Agricultural Cover (AAFC)**

**7.1 Crop Production - Spatial Density of Vegetable, 2015 (AAFC)**

**7.2 Crop Production - Spatial Density of Fruit, 2015 (AAFC)**

**7.3 Crop Production - Spatial Density of Cereals (AAFC)**

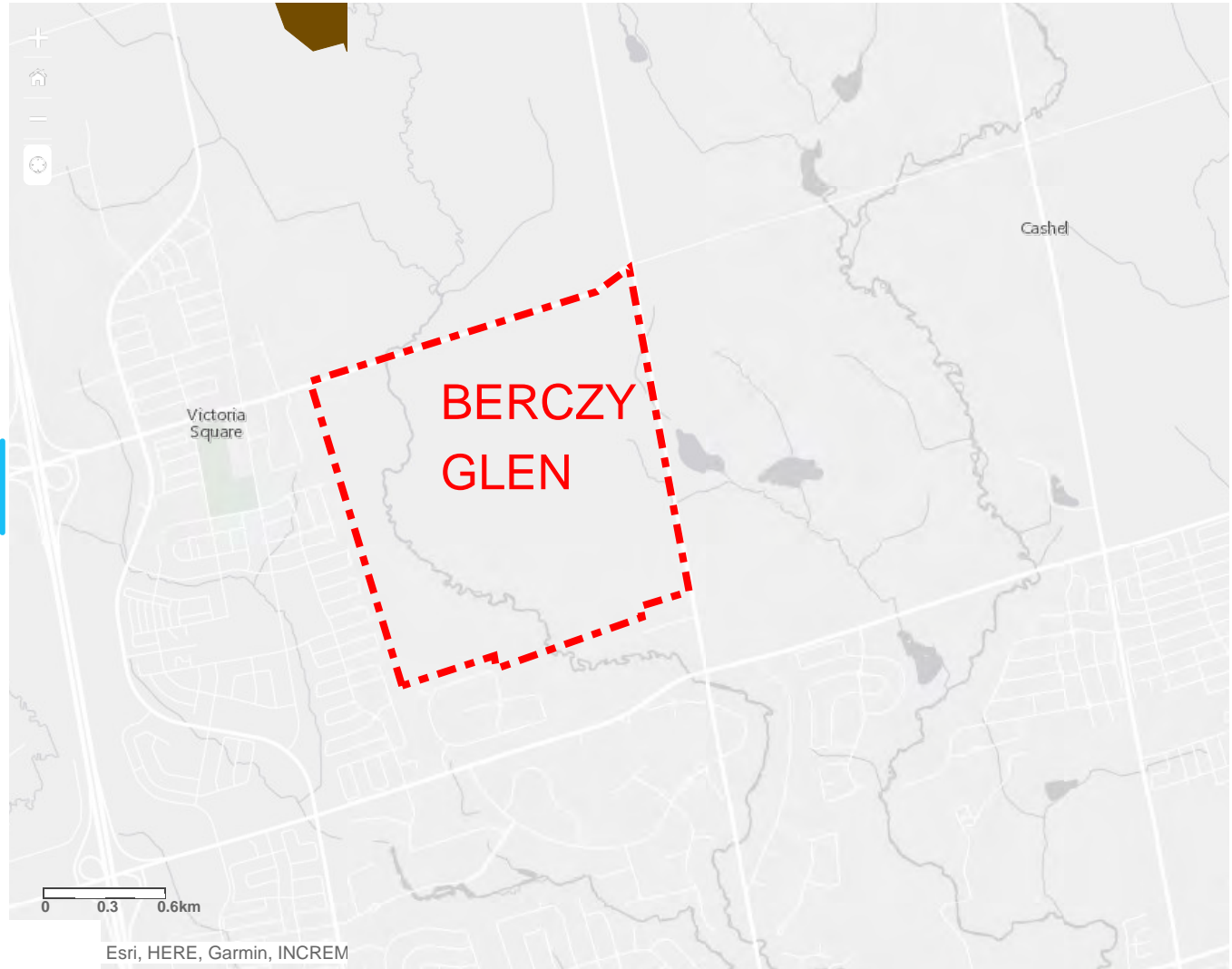
**7.4 Crop Production - Spatial Density of Wheat (AAFC)**

**7.5 Crop Production - Spatial Density of Barley (AAFC)**

**7.2 Crop Production - Spatial Density of Soybean (AAFC)**

**7.6 Crop Production - Spatial Density of Canola (AAFC)**

**7.7 Crop Production - Spatial Density of Corn (AAFC)**

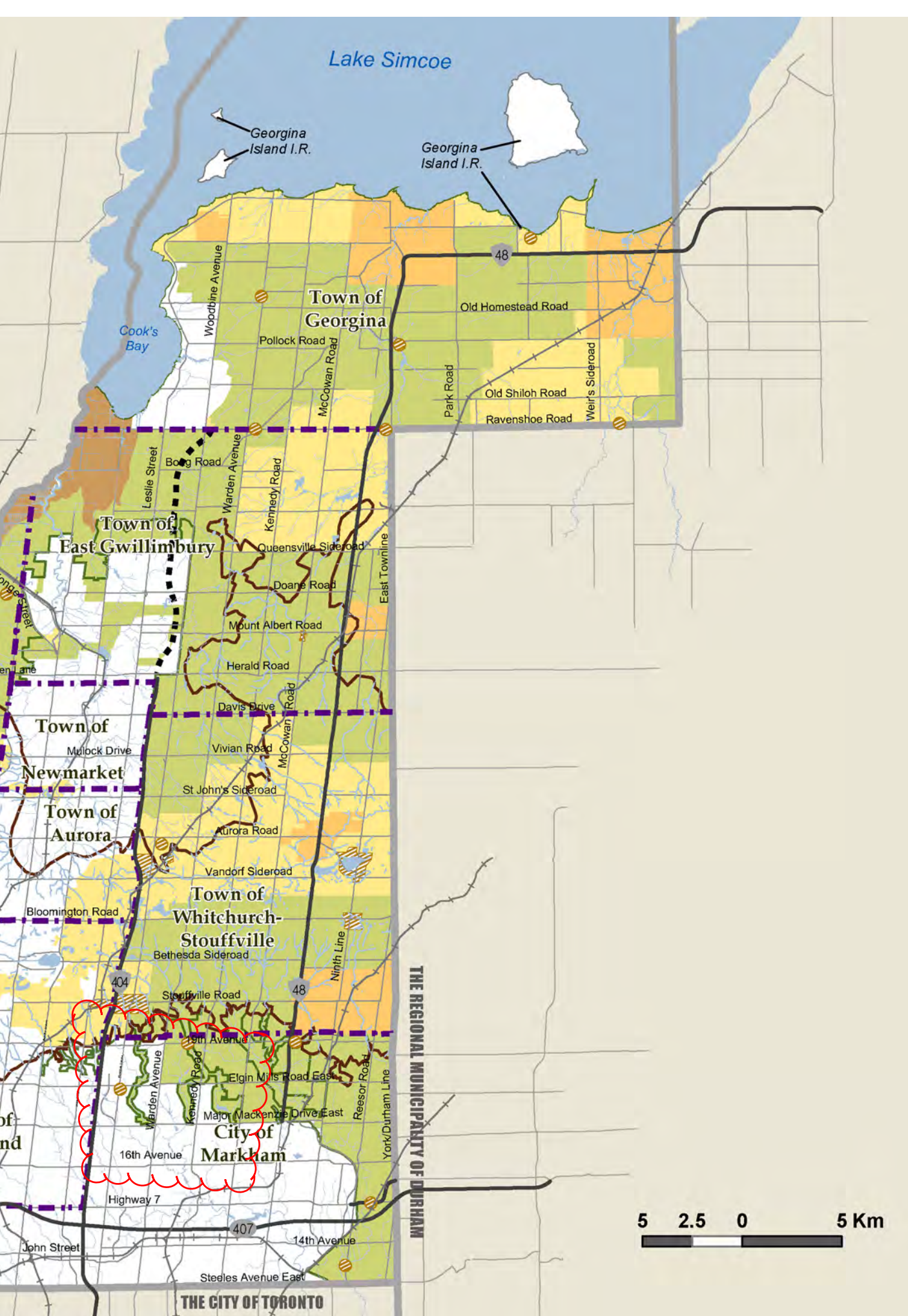


Press ALT + 0 to 7 keys for fast navigation

PRINTED FROM AGRICULTURAL SYSTEM PORTAL ON SEPTEMBER 5, 2017

# MAP 8

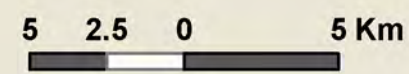
## AGRICULTURAL and RURAL AREA



- Rural Area
- Agricultural Area
- Holland Marsh Specialty Crop Area
- Towns and Villages
- Hamlet
- Oak Ridges Moraine Boundary
- Greenbelt Plan Area Boundary
- Provincial Highways**
- Existing
- Controlled Access Highway**
- Under Construction
- Municipal Boundary
- Regional Boundary



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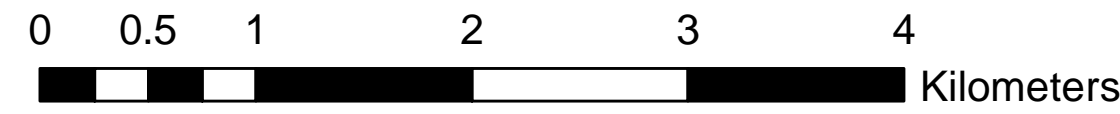
# OFFICIAL PLAN

## MAP 9 - COUNTRYSIDE AGRICULTURE AREA

as modified and approved by York Region June 12/14

JUNE 2014

SCALE  
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### COUNTRYSIDE AGRICULTURE AREA COMPONENTS

- Countryside Agriculture Area Boundary
- Countryside Area (YR Mod. 148)
- Oak Ridges Moraine Countryside and Natural Linkage Area (YR Mod. 148)
- Greenbelt Protected Countryside (YR Mod. 148)

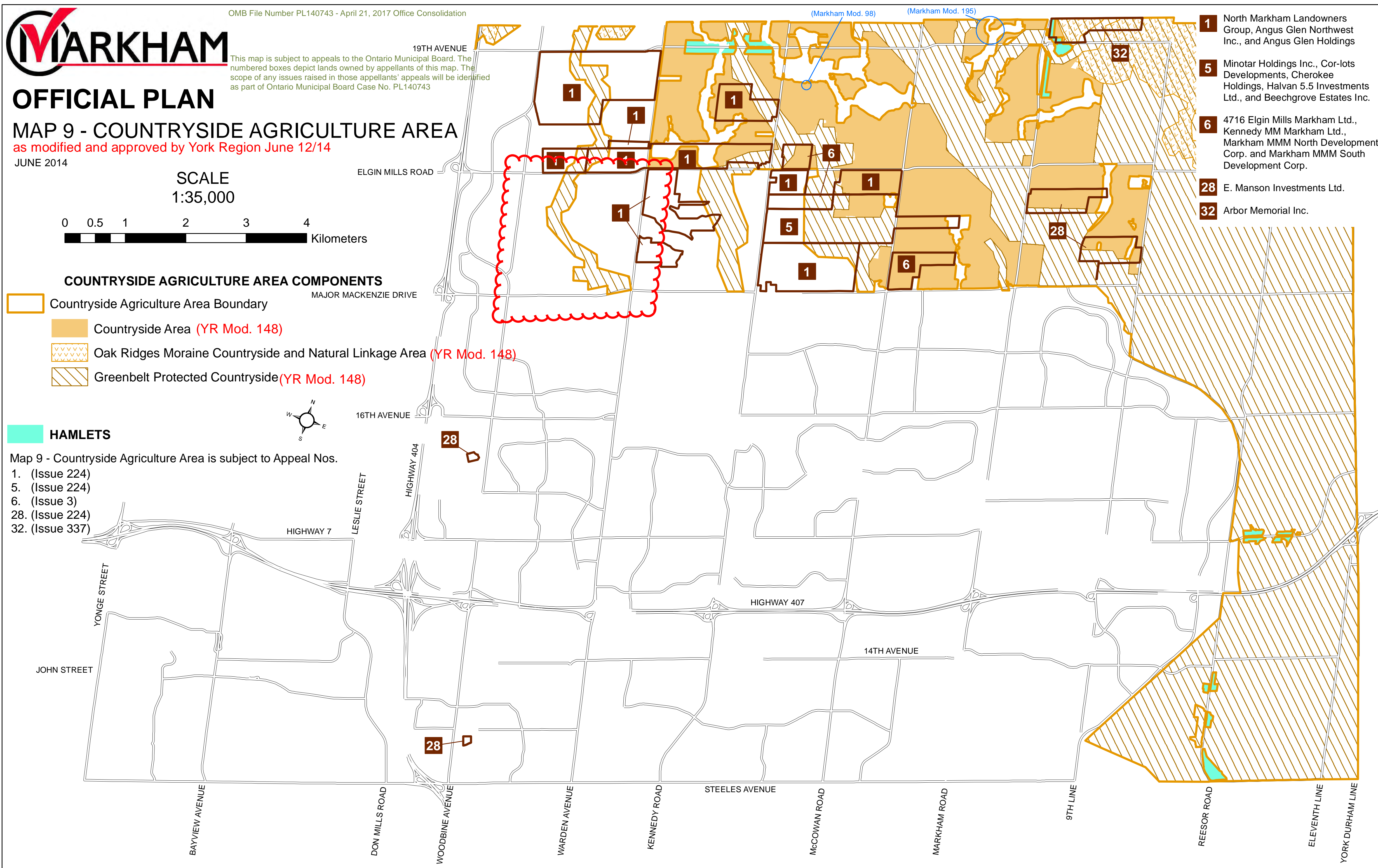
### HAMLETS

Map 9 - Countryside Agriculture Area is subject to Appeal Nos.

- 1. (Issue 224)
- 5. (Issue 224)
- 6. (Issue 3)
- 28. (Issue 224)
- 32. (Issue 337)

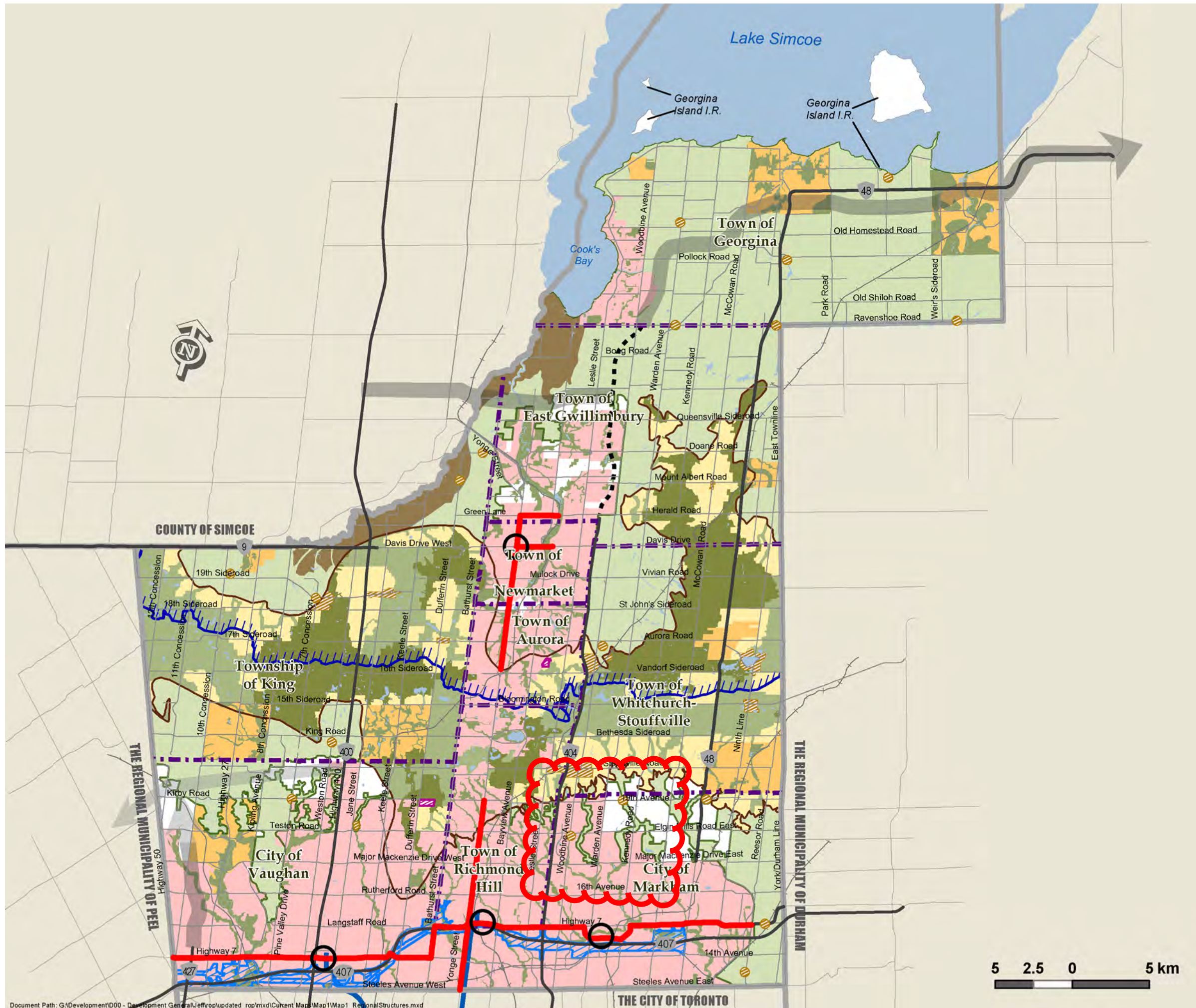
This map is subject to appeals to the Ontario Municipal Board. The numbered boxes depict lands owned by appellants of this map. The scope of any issues raised in those appellants' appeals will be identified as part of Ontario Municipal Board Case No. PL140743

- 1** North Markham Landowners Group, Angus Glen Northwest Inc., and Angus Glen Holdings
- 5** Minotar Holdings Inc., Cor-lots Developments, Cherokee Holdings, Halvan 5.5 Investments Ltd., and Beechgrove Estates Inc.
- 6** 4716 Elgin Mills Markham Ltd., Kennedy MM Markham Ltd., Markham MMM North Development Corp. and Markham MMM South Development Corp.
- 28** E. Manson Investments Ltd.
- 32** Arbor Memorial Inc.



# MAP 1

## REGIONAL STRUCTURE

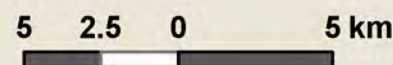


- Regional Centre
- Regional Corridor
- Subway Extension
- Urban Area
- Towns and Villages
- Regional Greenlands System (Schematic, See Map 2 for details)
- Oak Ridges Moraine Conservation Plan**
  - Oak Ridges Moraine Boundary
  - Natural Core Area Designation
  - Natural Linkage Area Designation
  - Countryside Area Designation/Hamlet
- Greenbelt Plan**
  - Greenbelt Plan Area Boundary
  - Greenbelt Protected Countryside/Hamlet
  - Holland Marsh Speciality Crop Area
  - Area Subject to the Lake Simcoe Protection Plan
  - Parkway Belt West Plan
  - Ministers Decision on ORMCP Designation Deferred
- Provincial Highways**
  - Existing
  - Under Construction
- Controlled Access Highway**
  - Under Construction
- Planned Corridors - Transportation**
  - Proposed - EA approved
  - Conceptual - Alignment Not Defined
- Municipal Boundary
- Regional Boundary

**Note:** For detailed land use designations outside of the Urban Area, Towns & Villages and Natural Core and Natural Linkage Areas of the Oak Ridges Moraine Conservation Plan see Map 8 - Agricultural and Rural Area and policy 5.1.12



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# OFFICIAL PLAN MAP 3 - LAND USE

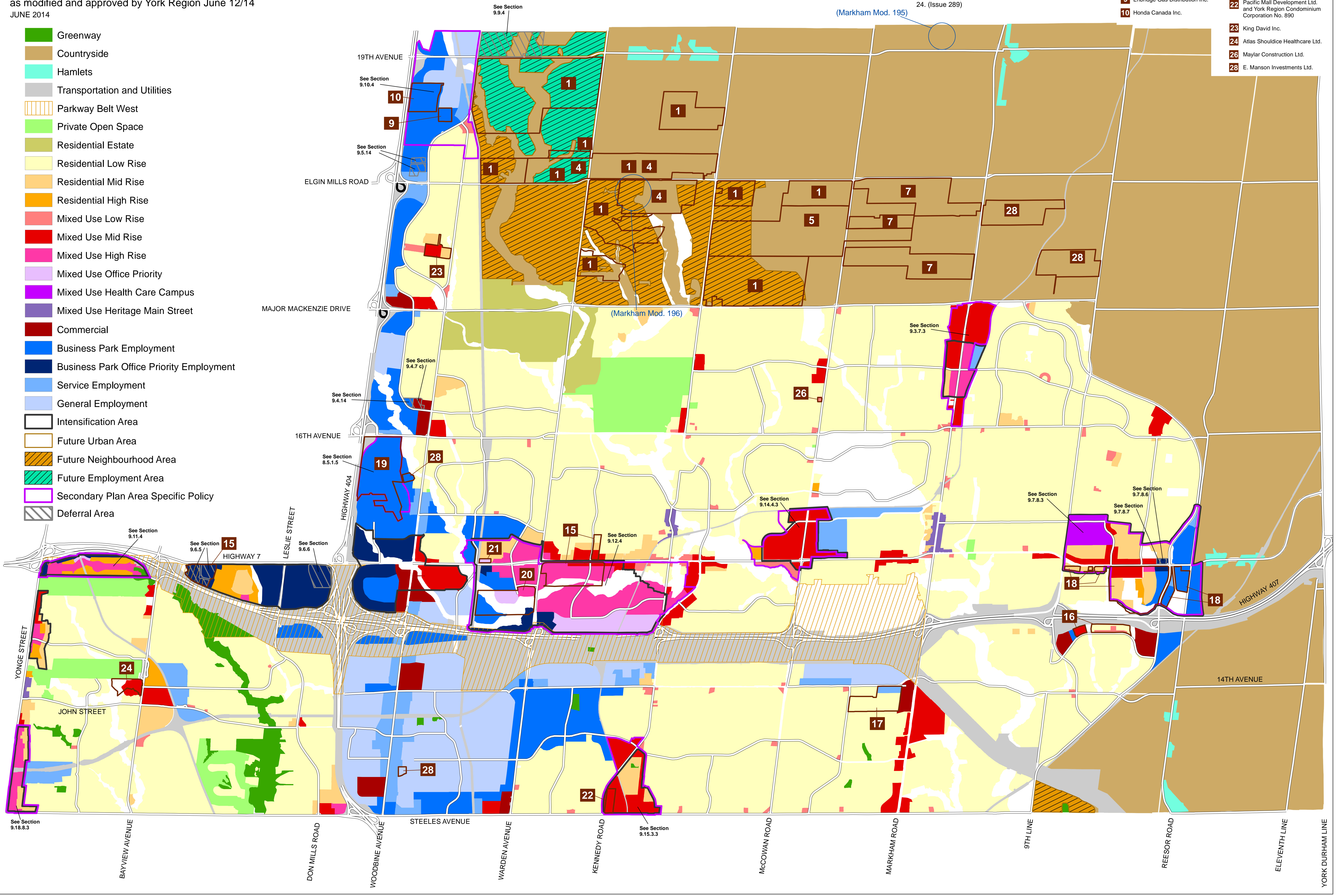
as modified and approved by York Region June 12/14  
JUNE 2014

OMB File Number PL140743 - April 21, 2017 Office Consolidation  
This map is subject to appeals to the Ontario Municipal Board. The numbered boxes depict lands owned by appellants of this map. The scope of any issues raised in those appellants' appeals will be identified as part of Ontario Municipal Board Case No. PL140743

Map 3 - Land Use is subject to Appeal Nos. 1. (Issue 36, 224) 26. (Issue 308, 309, 311, 312, 313)  
4. (Issue 237, 238) 28. (Issue 224)  
5. (Issue 62, 224)  
7. (Issue 4, 5, 15)  
9. (Issue 18, 19)  
10. (Issue 18, 19, 20)  
15. (Issue 244)  
16. (Issue 246)  
17. (Issue 250)  
18. (Issue 124, 125)  
19. (Issue 129, 258, 260)  
20. (Issue 267)  
21. (Issue 271, 273, 275, 278)  
22. (Issue 279, 280)  
23. (Issue 282)  
24. (Issue 289)

- 1 North Markham Landowners Group, Angus Glen Northwest Inc., and Angus Glen Holdings
- 4 Romandale Farms Ltd.
- 5 Minotar Holdings Inc., Cor-lots Developments, Cherokee Holdings, Halvan 5.5 Investments Ltd., and Beechgrove Estates Inc.
- 7 Colebay Investments Inc., Highcove Investments Inc., Firwood Holdings Inc., Major McCowan Developments Limited, Summerlane Realty Corp., and Brentwood Estates Inc.
- 9 Enbridge Gas Distribution Inc.
- 10 Honda Canada Inc.
- 15 Times Group Corporation
- 16 Box Grove Hill Developments Inc.
- 17 Neamsby Investments Inc., Rosina Mauro and Fulton Homes Ltd.
- 18 Lindvest Properties (Cornell) Ltd.
- 19 CF/OT Buttonville Properties LP and Armadale Co. Ltd.
- 20 IBM Canada Ltd.
- 24 Dorsay (Residential) Developments Inc.
- 22 Pacific Mail Development Ltd. and York Region Condominium Corporation No. 890
- 23 King David Inc.
- 24 Atlas Shouldice Healthcare Ltd.
- 26 Maylar Construction Ltd.
- 28 E. Manson Investments Ltd.

- Greenway
- Countryside
- Hamlets
- Transportation and Utilities
- Parkway Belt West
- Private Open Space
- Residential Estate
- Residential Low Rise
- Residential Mid Rise
- Residential High Rise
- Mixed Use Low Rise
- Mixed Use Mid Rise
- Mixed Use High Rise
- Mixed Use Office Priority
- Mixed Use Health Care Campus
- Mixed Use Heritage Main Street
- Commercial
- Business Park Employment
- Business Park Office Priority Employment
- Service Employment
- General Employment
- Intensification Area
- Future Urban Area
- Future Neighbourhood Area
- Future Employment Area
- Secondary Plan Area Specific Policy
- Deferral Area







- 1** North Markham Landowners Group, Angus Glen Northwest Inc., and Angus Glen Holdings
- 5** Minotar Holdings Inc., Cor-lots Developments, Cherokee Holdings, Halvan 5.5 Investments Ltd., and Beechgrove Estates Inc.
- 28** E. Manson Investments Ltd.

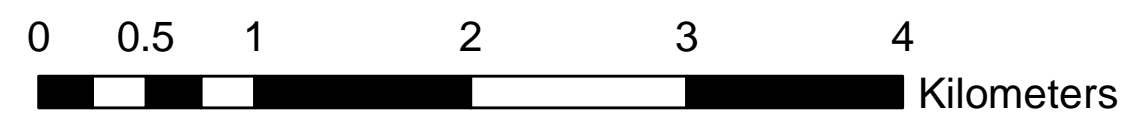
# OFFICIAL PLAN

## MAP 12 - URBAN AREA AND BUILT-UP AREA

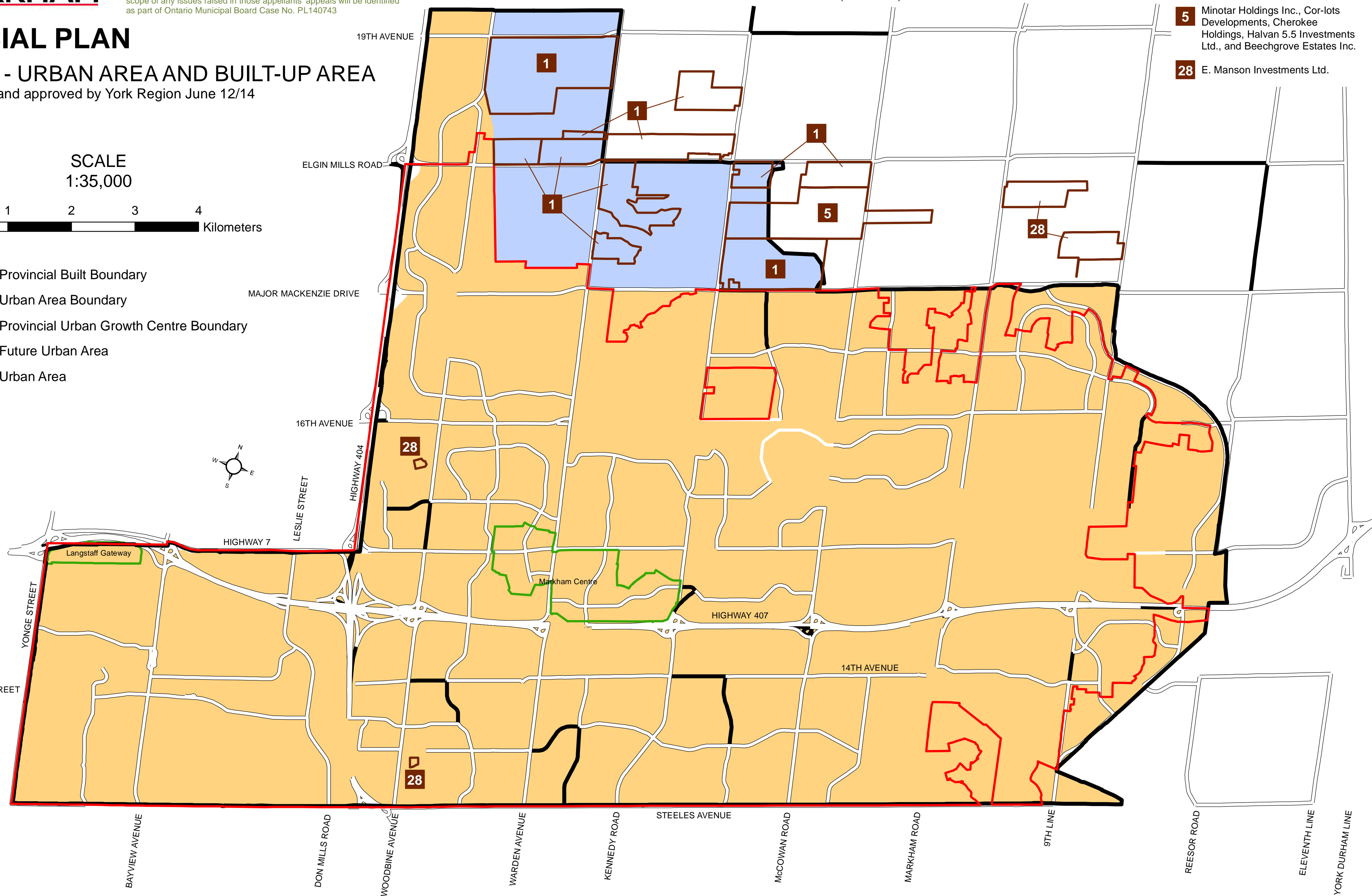
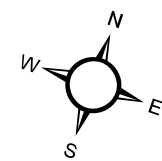
as modified and approved by York Region June 12/14

JUNE 2014

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- Provincial Built Boundary
- Urban Area Boundary
- Provincial Urban Growth Centre Boundary
- Future Urban Area
- Urban Area



September 6, 2017

VIA EMAIL: [regionalclerk@york.ca](mailto:regionalclerk@york.ca)

Chair Emerson and Members of Council  
Regional Municipality of York  
17250 Yonge Street  
Newmarket, Ontario  
L3Y 6Z1

*MGP File: 15-2384*

Dear Sirs and Madames,

**Re: Staff Report – COW, September 7, 2017: Draft Provincial Guidance on the Agricultural System**

This letter is submitted on behalf of a number of landowners in the Region with holdings extending into the Greenbelt's stream valley system "fingers" connecting the Oak Ridges Moraine Conservation Plan lands to Settlement Area lands to the south (see Attachment 1). These were designated as "Agricultural Area" (AA – equivalent to a "prime agricultural" designation)) along with surrounding "Whitebelt" lands when the Region's Official Plan (YROP) was approved in 2010, prior to adoption and approval of ROPA's 1, 2 and 3 (see Attachment 2). The ROPA approvals replaced the AA designations with "Urban Area", but left the AA designation in place on the Greenbelt fingers. The now vestigial "agricultural" lands in these fingers will be sandwiched between the valleyland features and urban development (see examples at Attachment 3).

As such, these lands will be unable to sustain any agricultural function, which brings the purpose of the legacy AA designation into question. The question is important in that, in concert with provisions of the Greenbelt Plan, the AA designation precludes non-agricultural uses that otherwise belong in and contribute to "complete communities". Active municipal parkland and existing golf courses are the most concerning of these uses. We believe an appropriate solution lies in redesignating these AA lands to the YROP's "Rural Area" designation. This provides for a broader range of permitted uses, and resolves the conflict with provisions of the Greenbelt Plan. We will be requesting that the province revise its mapping of these lands, but the same needs to occur at the YROP level.

#### **Request**

We have reviewed the staff report on the Provincial Guidance documents, and support its recommendations. We particularly note the report's references to "*highly fragmented areas, existing non-agricultural uses... and areas surrounded by a highly urbanized area*" as "*examples of where it may not be appropriate to redesignate rural lands to [a] prime agriculture*" designation. By the same logic we would suggest that "finger" areas with these characteristics and an AA designation should be considered for redesignation from AA to the "Rural Area" designation.

**We are therefore respectfully requesting that Council give additional direction to staff, to require consideration of a redesignation of lands within the fingers that are currently shown on Map 8 as "Agricultural Area" to the "Rural Area" designation. This could occur as staff completes the review of agricultural lands mapping through the Region's Municipal Comprehensive Review (MCR).**

The requested direction would be inserted as a new Recommendation #2 to the Staff Report, and reads:

2. Staff be directed to:

- Review the rationale for continuing with an “Agricultural Area” designation on the YROP’s Map 8 for lands within the Greenbelt Plan “fingers” extending through or adjacent to settlement areas, as part of the renewed MCR process;
- Confirm whether a “Rural Area” designation better implements Greenbelt Plan (2017) policies that support recreational and other uses within Protected Countryside lands within the Plan area; and
- Implement the review’s conclusions through amendments to the YROP when implementing the MCR, or upon receipt of an application to amend the YROP.

**Background**

The remainder of this letter outlines the policy framework established in the Greenbelt Plan and the YROP as it governs the opportunity to provide for park and other recreational uses in the Greenbelt fingers at issue.

***The Greenbelt Plan (2017)***

The Greenbelt Plan targets provision of a range of recreational opportunities, including active parkland, as a key component of complete communities but also clearly limits their future potential locations to Rural Lands within the Plan’s Protected Countryside.

The Plan’s Vision statement includes:

*The Greenbelt is a broad band of permanently protected land which:*

- *Provides for a diverse range of economic and social activities associated with rural communities, agriculture, tourism, recreation and resource uses;*

In its Parkland, Open Space and Trails policies, Section 3.3.1. Description states:

*A system of parklands, open spaces, water bodies and trails across the Greenbelt is necessary to provide opportunities for recreation, tourism and appreciation of cultural heritage and natural heritage. They serve as an important component of complete communities and provide important benefits to support environmental protection, improved air quality and climate change mitigation.*

Section 3.3.2 Parkland, Open Space and Trails Policies states that:

*The Province should, in partnership with municipalities, conservation authorities, non-government organizations and other interested parties:*

1. *Encourage the development of a system of publicly accessible parkland, open space and trails where people can pursue the types of recreational activities envisaged by this Plan, and to support the connectivity of the Natural Heritage System and the achievement of complete communities in settlement areas across the Greenbelt.*

**Section 3.3.3 Parkland, Open Space and Trails Strategies states that:**

*For all lands falling within the Protected Countryside, municipalities should:*

- 1. Provide for a full range of publicly accessible, built and natural settings for recreation, including facilities, parklands, open space areas, trails and water-based activities.*
- 3. Include the following considerations in municipal parks plans and open space strategies:*
  - a) Providing for open space areas for current and future populations and promoting stewardship of open space areas;*
  - b) Providing facilities, parklands, open space areas and trails that particularly support an active, healthy community lifestyle;*
  - c) Identifying key areas or sites for the future development of major facilities that avoid sensitive landscapes;*

Notwithstanding these policy directions, the Greenbelt Plan clearly directs most active recreational uses to Rural Lands in the Protected Countryside, and away from Prime Agricultural Areas

Under its Section 4 General Policies for the Protected Countryside, the Plan's Section 4.1 Non-Agricultural Uses establishes that recreational uses are considered to be non-agricultural, to be directed to Rural Lands, and to include a range of built intensities:

*The rural lands of the Protected Countryside are intended to continue to accommodate a range of commercial, industrial and institutional (including cemetery) uses serving the rural resource and agricultural sectors. They are also intended to support a range of recreation and tourism uses such as trails, parks, golf courses, bed and breakfasts and other tourism-based accommodation, serviced playing fields and campgrounds, ski hills and resorts.*

Section 4.1.1 General Non-Agricultural Use Policies is very clear in not permitting such uses in prime agricultural areas:

*For non-agricultural uses, the following policies apply:*

- 1. Non-agricultural uses are not permitted in the specialty crop areas as shown on Schedule 2 and Schedule 3 of this Plan or within prime agricultural areas in the Protected Countryside, with the exception of those uses permitted under sections 4.2 to 4.6 of this Plan. [These do not include recreational uses.]*

Finally, the Greenbelt Plan also makes it clear that official plans are the documents to be relied upon in identifying Prime Agricultural Areas and Rural Lands. The Plan's Section 1.4.2 Structure of the Plan and Section 1.4.3 How to Use this Plan identify that reliance, and direct the reader to official plans to determine the relevant designation.

***Draft Provincial Guidance Documents and the YROP***

As noted by staff, the Draft Provincial Guidance on Agricultural System mapping adopts municipal mapping of prime agricultural areas and identifies potential additional areas. The intention is that mapping of the Agricultural System will be finalized through a collaborative approach between OMAFRA and region staff. This will integrate staff knowledge of agricultural areas impacted by adjacent urban

land uses in determining whether changes are required to the YROP's Map 8 (Agricultural and Rural Area) to support implementation of the Greenbelt Plan.

**Summary**

The Greenbelt Plan envisions a range of active recreational uses, including municipal parkland, within the Greenbelt. At the same time it directs such non-agricultural uses away from prime agricultural areas – those designated Agricultural Area in the YROP. It is our submission that the Greenbelt fingers subject of this letter clearly represent fragmented areas that will be surrounded by urbanization. They cannot make any effective contribution to the larger Agricultural System, and, in our opinion, warrant redesignating from the current Agricultural Area to Rural Area in the YROP to permit the range of recreational uses required to support new complete communities. Our proposed addition to the set of recommendations in the subject staff report would give effect to this direction.

Yours very truly,

**MALONE GIVEN PARSONS LTD.**



**John P. Genest, MCIP, RPP, PLE**

**Principal**

[jgenest@mgp.ca](mailto:jgenest@mgp.ca)

cc. Sandra Malcic, Manager, Policy and Environment, York Region  
Valerie Shuttleworth, Chief Planner, York Region  
Silvio DeGasperis, TACC Developments  
Jack Eisenberger, Fieldgate Developments  
North Markham Landowners Group  
Angus Glen Landowners Group  
Robinson Glen Landowners  
Block 41 Landowners Group

**Attachments:**

1. Excerpt from Schedule 1 of the Greenbelt Plan, 2017.
2. Excerpt from Map 8 of the YROP.
3. Examples of Legacy "Agricultural Area" Lands within the Greenbelt in Urbanizing Areas















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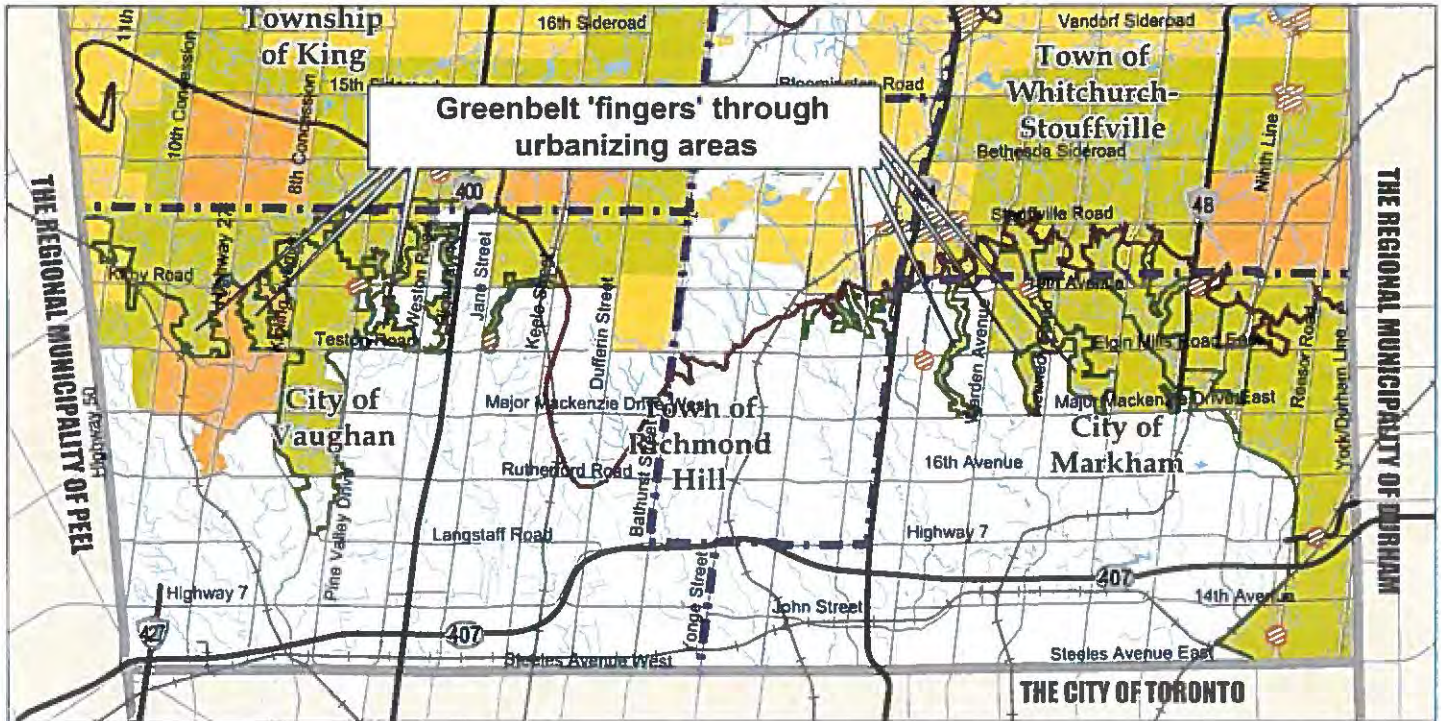
*greenbelt*

PLAN 2017

**Schedule 1:  
Greenbelt Area**

-  Greenbelt Area\*
-  Protected Countryside
-  Towns / Villages
-  Hamlets
-  Urban River Valleys
-  Niagara Escarpment Plan Area
-  Oak Ridges Moraine Area
-  External Connections
-  Settlement Areas Outside the Greenbelt
-  Upper and Single-Tier Municipal Boundaries
-  Road or Highway
-  F.N. First Nations





Excerpt from York Region Official Plan

# MAP 8

## AGRICULTURAL AND RURAL AREA








## Impact of Legacy "Agricultural Area" Designations

Robinson Glen Block Lands  
North Markham Future Urban Area

City of Markham

### LEGEND

-  Subject Lands
-  Greenbelt Boundary
-  Area designated "Agricultural Area", precluding municipal park and other uses.



Date: September 6, 2017  
Prepared by:

 MALONE GIVEN PARSONS LTD.






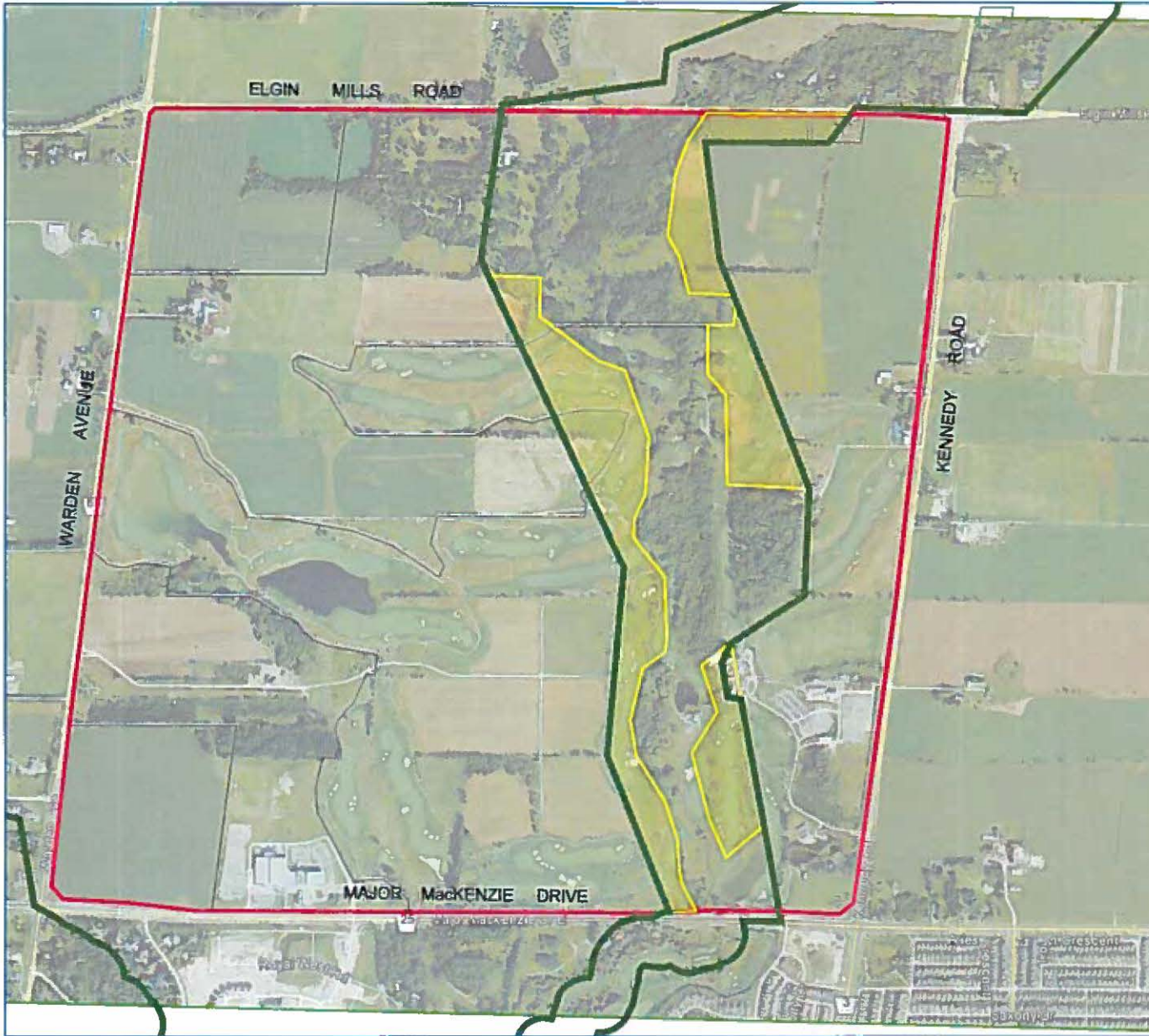
### Impact of Legacy "Agricultural Area" Designations

Angus Glen Block Lands  
North Markham Future Urban Area

City of Markham

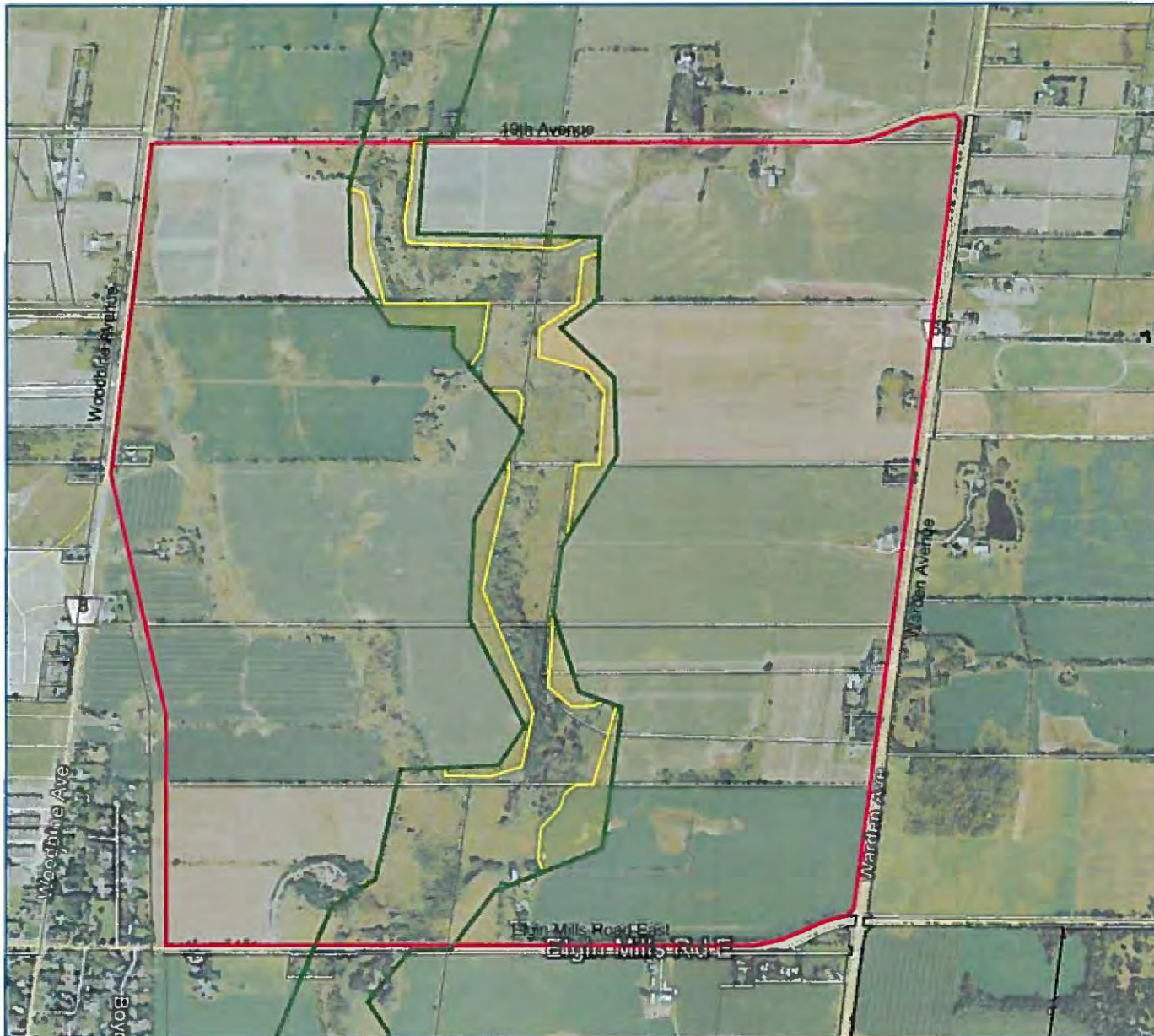
#### LEGEND

-  Subject Lands
-  Greenbelt Boundary
-  Area designated "Agricultural Area", precluding municipal park and other uses. (Before application of VPZ's to natural features)



Date: September 6, 2017  
Prepared by:

 MALONE GIVEN PARSONS LTD.






## Impact of Legacy "Agricultural Area" Designations

Employment Block  
North Markham Future Urban Area

City of Markham

### LEGEND

-  Subject Lands
-  Greenbelt Boundary
-  Area designated "Agricultural Area", precluding municipal park and other uses. (Before application of VPZ's to natural features)



Date: September 6, 2017

Prepared by:




 MALONE GIVEN PARSONS LTD.

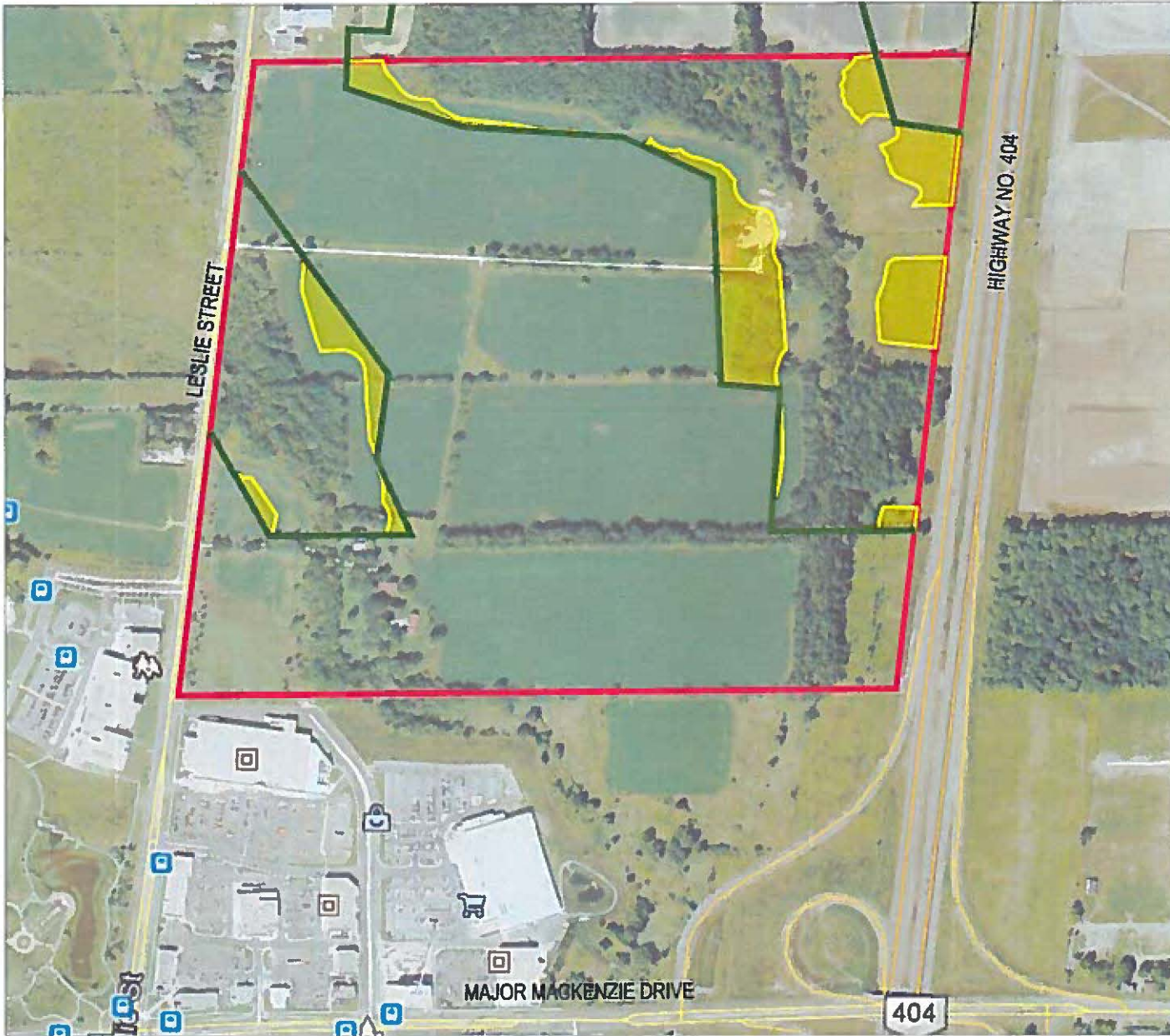
### Impact of Legacy "Agricultural Area" Designations

Leslie Elgin Developments Inc. Lands

Town of Richmond Hill

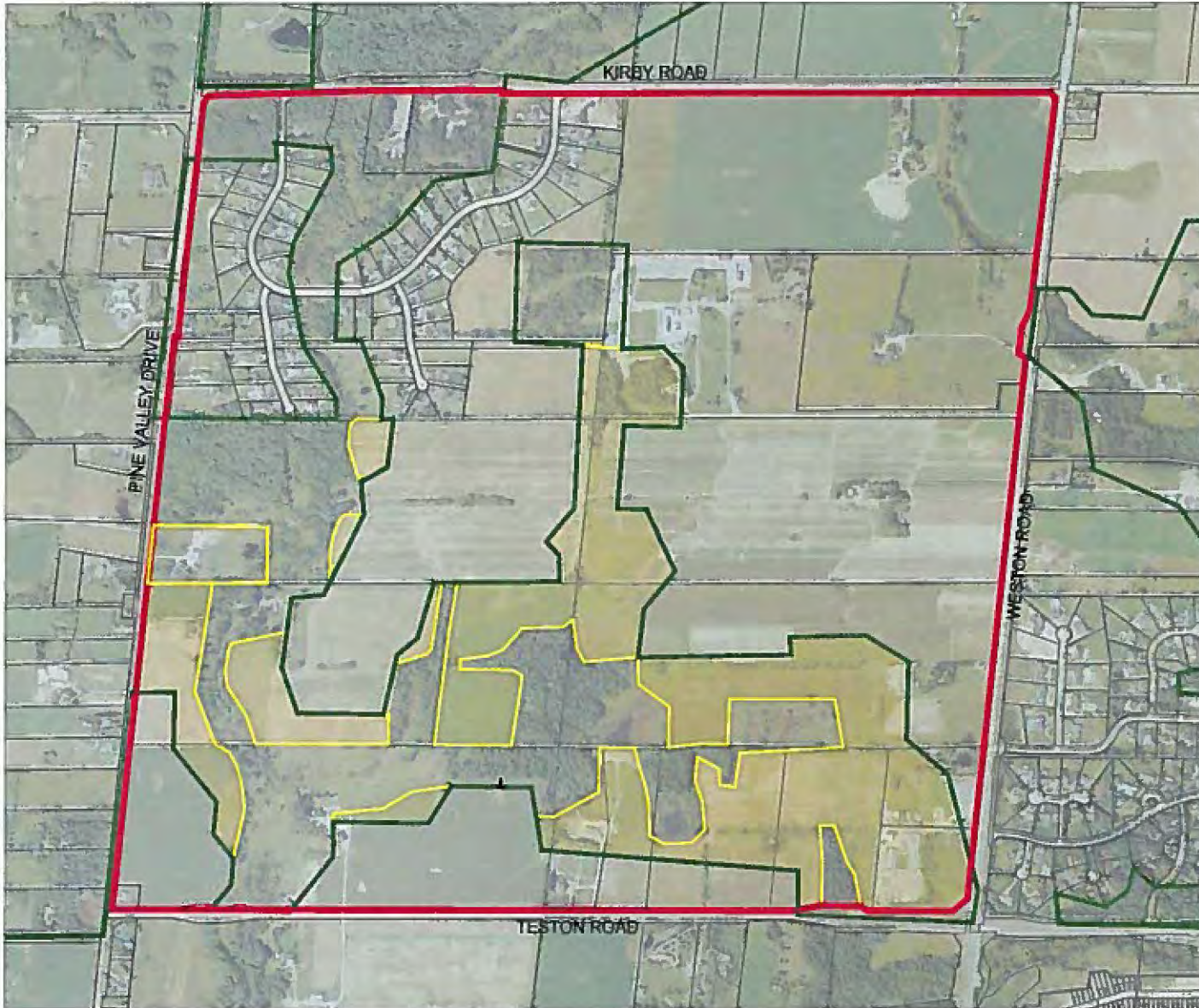
#### LEGEND

-  Subject Lands
-  Greenbelt Boundary
-  Area designated "Agricultural Area", precluding municipal park and other uses.



Date: September 6, 2017  
Prepared by:

 MALONE GIVEN PARSONS LTD.






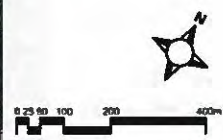
### Impact of Legacy "Agricultural Area" Designations

Block 41

City of Vaughan

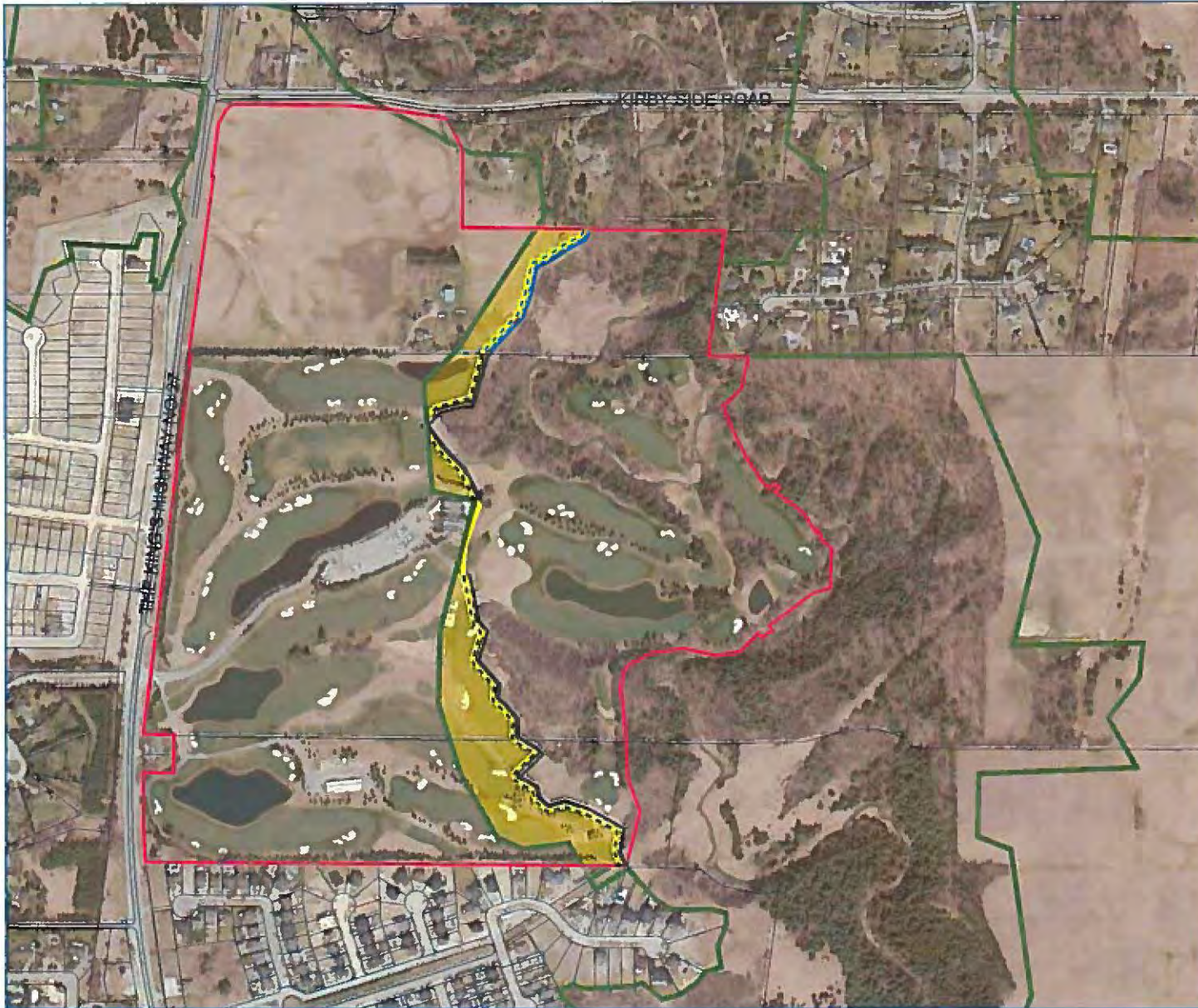
#### LEGEND

-  Subject Lands
-  Greenbelt Boundary
-  Area designated "Agricultural Area", precluding municipal park and other uses. (Before application of VPZ's to natural features)



Date: September 6, 2017  
Prepared by:

 MALONE GIVEN PARSONS LTD.






**Impact of Legacy  
"Agricultural Area"  
Designations**

**Gilbert and Copper Creek Golf  
Club Properties**

City of Vaughan

**LEGEND**

-  Subject Lands
-  Greenbelt Boundary
-  Area designated "Agricultural Area", precluding municipal park and other uses.



Date: September 6, 2017  
Prepared by:

September 6, 2017

VIA EMAIL: [regionalclerk@york.ca](mailto:regionalclerk@york.ca)

Chair Emerson and Members of Council  
Regional Municipality of York  
17250 Yonge Street  
Newmarket, Ontario  
L3Y 6Z1

MGP File: 15-2384

Dear Sirs and Madames,

**Re: Staff Report – COW, September 7, 2017: Draft Provincial Guidance on the Agricultural System**

Malone Given Parsons Ltd. are the planning consultants representing Shining Hill Estate Collection Inc. ("Shining Hill") owners of approximately 155 hectares (385 acres) of land straddling the municipal boundary of the Town of Newmarket and Town of Aurora. This letter is submitted on their behalf as portions of their landholdings (Attachment 1b of the staff report) have been identified in the Province's draft mapping as additional lands to be included in the Natural Heritage System (NHS).

It has been our understanding through discussions with Regional staff that the portion of land that is the subject of this letter has been wrongly identified as Whitebelt lands since they have an underlying urban designation at the local policy level. Through the Province's draft mapping, they now have been identified as NHS. We have been working with staff to try to rectify this issue.

While we recognize that there are lands in the Shining Hill landholdings that should be protected, it is our opinion that the policies at the local and regional level provide the protection required. Conversely, there are lands that have been included in the Province's NHS mapping that we believe should not be – specifically those that have an urban designation in the local Official Plan. We will be requesting that the province revise its mapping of these lands, but the same needs to occur at the YROP level.

#### **Request**

We have reviewed the staff report on the Provincial Guidance documents, and support its recommendations, specifically that the *"proposed Natural Heritage mapping should remain draft until finalized through municipal comprehensive reviews"*. We also support the Region's position where without additional rationale from the Province, it is recommended that the local municipalities be permitted to use the local municipal NHS mapping where it meets the intent of the Provincial NHS policies in the Growth Plan.

As the Province's response to Regional recommendations is undetermined, we respectfully request that Council give additional direction to staff to support the change in mapping for a portion of lands within the Shining Hill landholdings that are currently shown on Attachment 1b of the report as "Proposed Growth Plan Natural Heritage System" to "OP Settlement Designations".

This could occur as staff completes the review of the natural heritage system mapping through the Region's Municipal Comprehensive Review (MCR). The requested direction would be inserted as an addition to the second bullet point in Recommendation #1 to the Staff Report, and reads:

- Support the mapping change of the Proposed Provincial Mapping of the NHS shown in Attachment 1b (Aurora/Newmarket) of the Staff Report to Figure 5 (of this MGP letter).

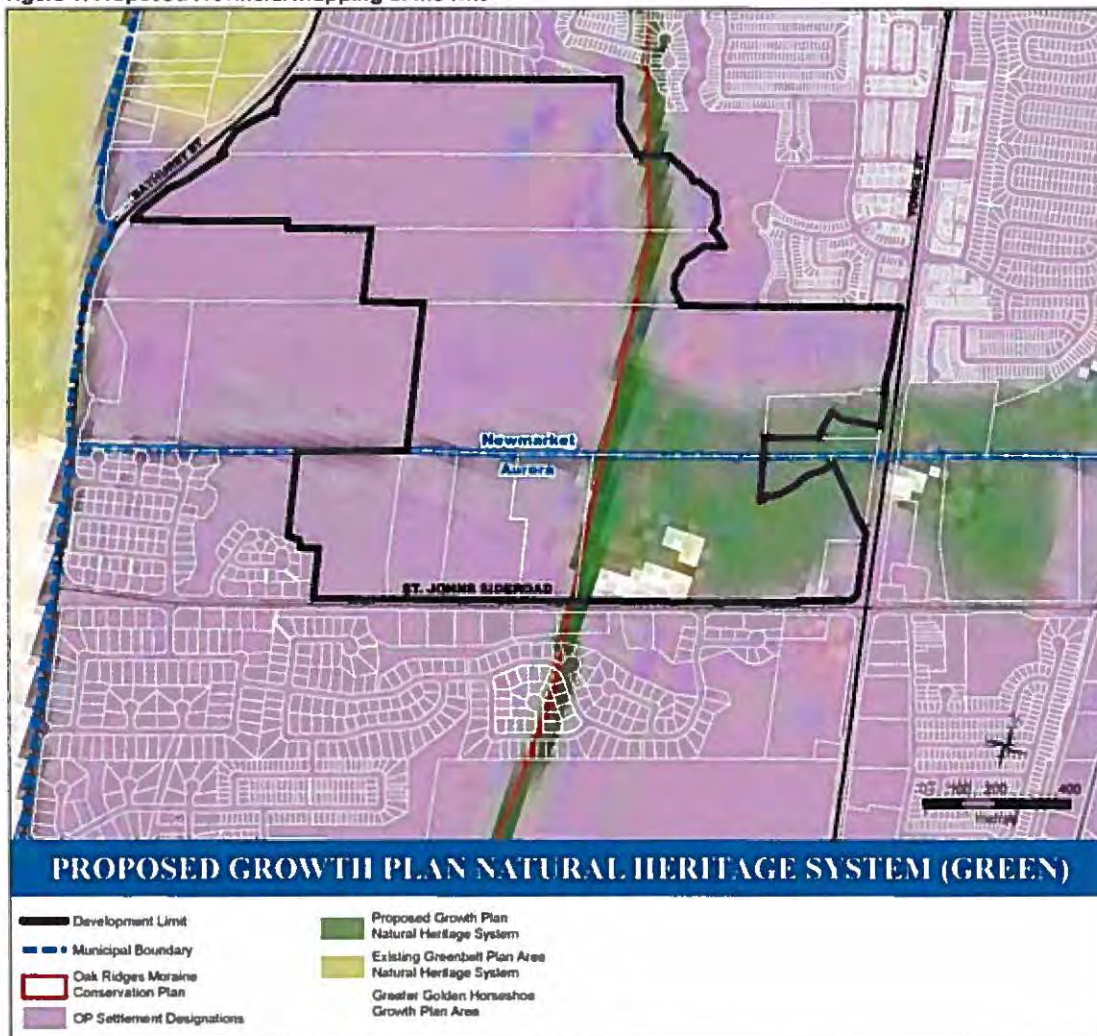
### **Background**

The remainder of this letter outlines the subject lands as identified in the Province's proposed NHS mapping and its policy framework established in the local Official Plan, YROP and Greenbelt Plan.

### ***Draft Provincial Guidance Documents***

The Province's draft mapping of the proposed Natural Heritage System as it relates to the Shining Hill landholdings is illustrated in Figure 1 below.

**Figure 1: Proposed Provincial Mapping of the NHS**



Source: Growth Plan Regional NHS Mapping Project – June 28, 2017;  
Contains information licenced under the Open Government Licence - Ontario

At the local development level, it is apparent that there is not enough edge detail to provide an accurate boundary of the NHS. At this level, the boundaries are pixelated and not conducive to determining development limits. Refinement of the NHS should occur at the local and Regional level through the MCR process.

Additionally, the majority of the lands that have been identified as potential NHS within the Shining Hill landholdings have an underlying urban designation at the local policy level.

**Local Policy Context**

As mentioned, the Shining Hill landholdings are located on both sides of the Town of Aurora and Town of Newmarket municipal boundary. Figure 2 below illustrates that much of the lands proposed to be NHS in the Province's draft mapping are designated "Existing Major Institutional" in the Town of Aurora Official Plan and "Stable Neighbourhoods" in the Town of Newmarket Official Plan.

**Figure 2: Official Plan Land Use Designations of Shining Hill Landholdings**



Source: Aurora Official Plan (2010) Schedule A; Newmarket Official Plan (2014 Office Consolidation) Schedule A.  
 Prepared by: MGP Ltd.

It is our understanding through discussions with Regional staff that the identification of these lands as "Whitebelt Lands" was a mapping error (as they have urban designations at the local level) and would be rectified during the Region's Municipal Comprehensive Review.

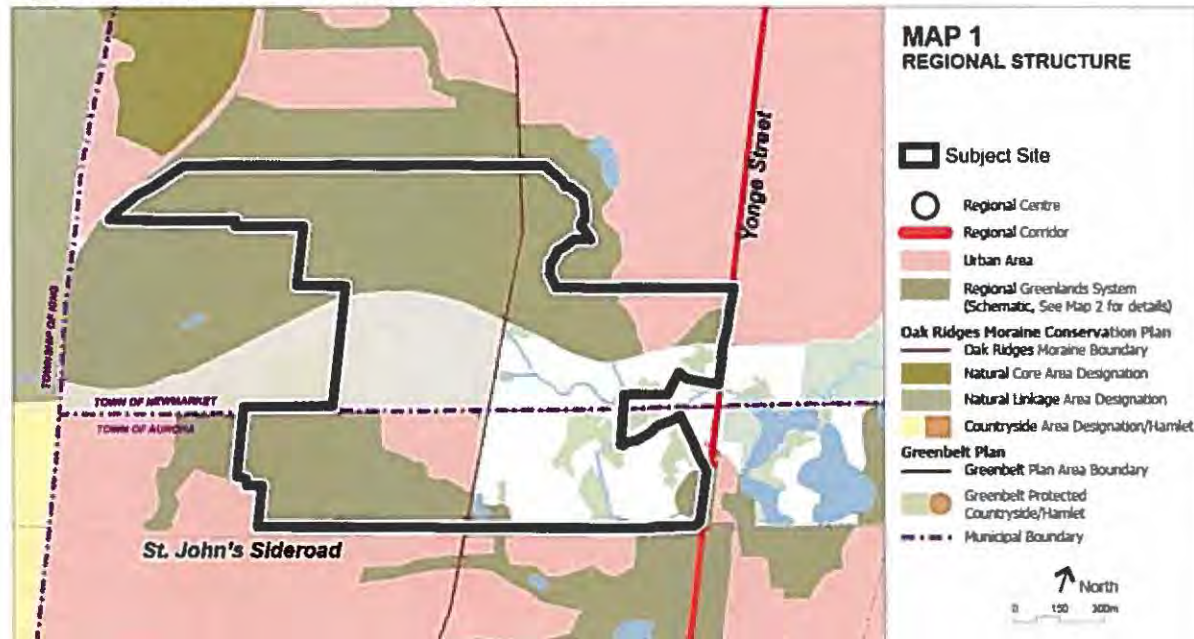


### **York Region Official Plan (2010)**

The York Region Official Plan (2010) identifies the Shining Hill lands in *Map 1 – Regional Structure* as a combination of *Regional Greenlands System* (green), *Urban Area* (pink), and *ORM Settlement Area* (beige) with a portion of the Whitebelt Lands shown as white (see Figure 3).

To mirror the policy context at the local level, the Whitebelt Lands should be re-designated as a combination of *Urban Area* and *Regional Greenlands System*.

**Figure 3 – York Region Official Plan Map 1 – Regional Structure**



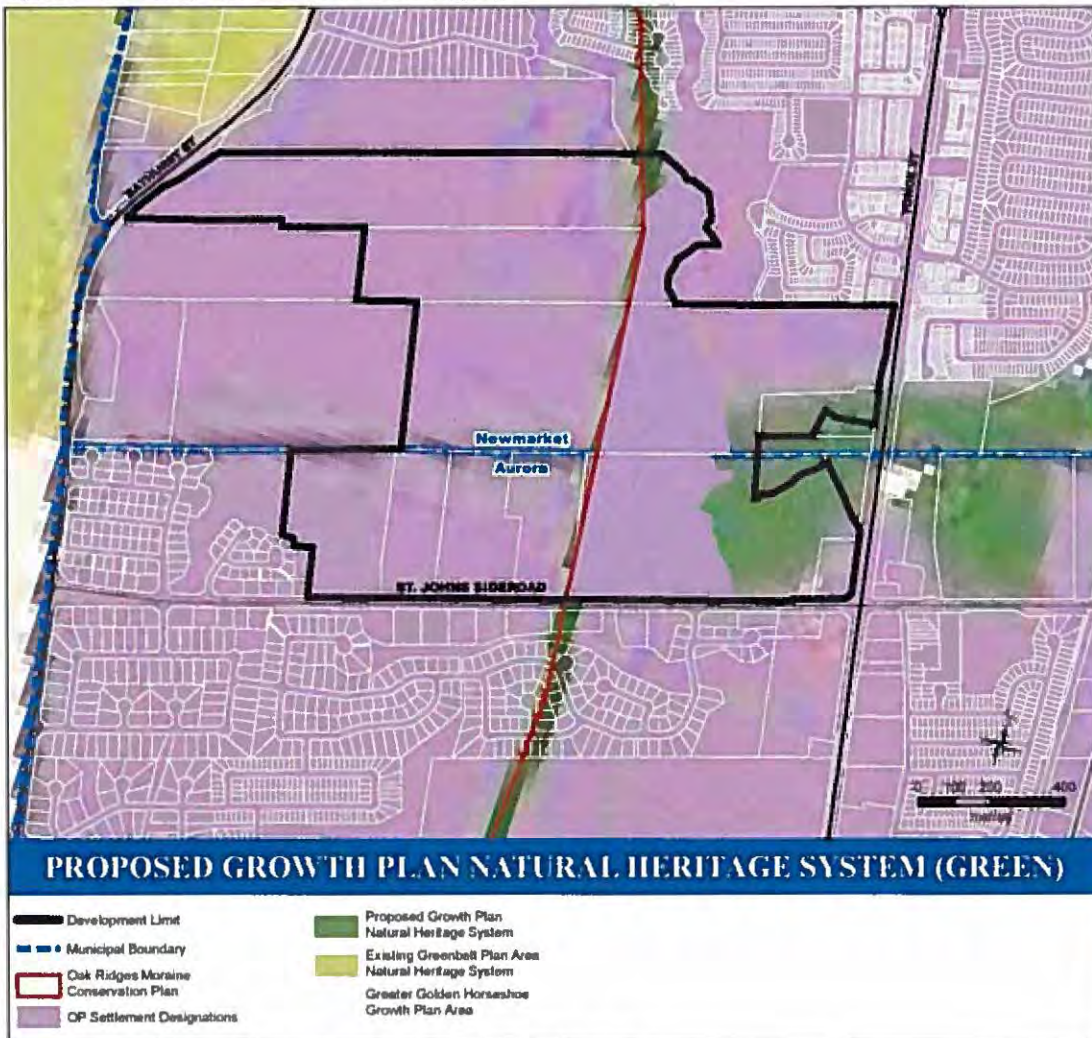
Source: York Region Official Plan (2010) – Map 1: Regional Structure  
Prepared by: MGP Ltd.

### **MGP Proposed Preliminary NHS Mapping**

As per page 3 of the staff report, “the Province is consulting on the development and mapping of the NHS for the entire Growth Plan area, excluding settlement areas. Within York Region, this means the new NHS applies to “whitebelt” lands only”. As discussed above, it has been our understanding that a portion of the Shining Hill landholdings have been incorrectly identified as whitebelt and should not have been included in the Province’s NHS analysis in the first place.

As such, it is our request that an appropriate response to the Province’s draft mapping should be the removal of lands within the Shining Hill landholdings that have an underlying urban designation from the proposed NHS designation (Figure 4).

Figure 4 – MGP Request for Provincial NHS Mapping



Source: Growth Plan Regional NHS Mapping Project – June 28, 2017;  
Contains information licenced under the Open Government Licence - Ontario

### Summary

We support staff's recommendation that the proposed Natural Heritage mapping not to be finalized until the Region conducts the MCR process as recommended by regional staff; and that local municipalities should be permitted to use the local NHS mapping where it meets the policies of the Growth Plan.

The lands within the Shining Hill landholdings that have been identified as NHS in the Province's draft mapping should not have been included in the Province's NHS analysis as they have been incorrectly identified as "whitebelt". Moreover, these lands have an underlying urban designation at the local policy level. We are requesting that Council give direction to staff to support the change in mapping of these lands from "Proposed Growth Plan Natural Heritage System" to "OP Settlement Designation".

Our proposed addition to the set of recommendations in the subject staff report would give effect to this direction.

Yours very truly,  
**MALONE GIVEN PARSONS LTD.**

A handwritten signature in blue ink, appearing to read "Don Given".

**Don Given, MCIP, RPP**  
[dgiven@mgp.ca](mailto:dgiven@mgp.ca)

cc. Sandra Malcic, Manager, Policy and Environment, York Region  
Valerie Shuttleworth, Chief Planner, York Region  
Shining Hill Estate Collection Inc.