



STAFF REPORT ACTION REQUIRED

Greenbelt Urban River Valley Designation in Toronto

Date:	May 2, 2014
To:	Planning and Growth Management Committee
From:	Chief Planner and Executive Director, City Planning Division
Wards:	All
Reference Number:	P:\2014\Cluster B\PLN\PGMC\PG14041

SUMMARY

This report responds to a request from City Council to begin the process of making an application to the Province to designate public lands in the Don and Humber River and Etobicoke Creek valleys as part of the Greenbelt Area under the new Urban River Valley designation.

The report reviews the application process and implications of adding public lands to the Greenbelt through the Urban River Valley designation and provides cost information to designate public lands located within the Don and Humber River and Etobicoke Creek corridors that meet the environmentally significant areas (ESA) criteria. Designating public land in Toronto as Urban River Valley would not provide any additional policy protection to these lands and would result in a discontinuous patchwork of land being recognized as part of the Greenbelt. The report recommends an alternative approach that will achieve the goal of recognizing the importance of the Don and Humber Rivers and Etobicoke Creek as river valley connections between the Greenbelt Area and Lake Ontario. This approach will recognize river valley connection in the Official Plan, provide a strong foundation for raising public awareness about the importance of river valley connections and can be done at no additional cost to the City.

RECOMMENDATIONS

The Chief Planner and Executive Director City Planning Division recommends that:

1. Planning and Growth Management Committee direct the Chief Planner and Executive Director, City Planning Division to submit a report on a proposed amendment to the Official Plan to identify the Don and Humber Rivers and Etobicoke Creek as Greenbelt River Valley Connections, as shown in Attachment 3 of this report, and recognize the important functions they provide to the Greenbelt through sidebar text substantially as provided in Attachment 4 of this report.

Financial Impact

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

At its meeting on February 19 and 20, 2014, City Council adopted the following:

1. City Council direct the Chief Planner and Executive Director, City Planning, in conjunction with the appropriate City staff, to begin the process of making an application to the Province for Urban River Valley designation for public lands in the Humber and Don River Valleys and Etobicoke Creek. Specifically, City staff shall:
 - a. initiate coordination with other public landowners to identify lands suitable for Urban River Valley designation;
 - b. develop a cost estimation for the Urban River Valley designation;
 - c. work with the Province of Ontario to agree on the scope and extent of public consultation required before proceeding;
 - d. work with the Province of Ontario on ways in which the Greenbelt Plan can be improved to better assist municipalities with Urban River Valley-designated lands in necessary restoration and stewardship actions; and
 - e. report back to the Planning and Growth Management Committee by May 2014 with a plan and cost estimates to expand the Provincial Greenbelt by designating selected public lands as Urban River Valley, as outlined in Provincial legislation.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.MM48.12>

ISSUE BACKGROUND

The Greenbelt Area is a permanently protected area of environmentally sensitive and agricultural land in the Greater Golden Horseshoe. It encompasses approximately 1.8 million acres (728,434 ha) of land including the Niagara Escarpment, the Oak Ridges Moraine and land designated as "Protected Countryside". The Greenbelt Plan (2005) identifies where urbanization should not occur and supports a range of recreational, tourism and cultural opportunities. The Greenbelt Plan Area is shown in Attachment 1. Within the City of Toronto, the Rouge Valley between Steeles Avenue and Lake Ontario is designated as Greenbelt Protected Countryside.

The Greenbelt Plan also identifies "river valley connections" that run through existing and approved urban areas, such as Toronto, and connect the Greenbelt to Lake Ontario and other lakes. These river valley connections are considered to be important to the long-term health of the Greenbelt but they are not part of the regulated Greenbelt area. Within the City of Toronto, the Don and Humber Rivers and Etobicoke and Morningside Creeks are identified as river valley connections. Morningside Creek, which connects to the Greenbelt Area, does not connect directly to Lake Ontario. The Greenbelt Plan contains policies that encourage municipalities and conservation authorities to continue with stewardship, restoration and appropriate park and trail initiatives in these river valley connections and abutting areas.

In 2008, the Province issued a document titled Growing the Greenbelt which outlined a process and criteria for considering municipal requests to add land to the Greenbelt Area. Land which is added to the Greenbelt Area may become part of the area regulated under the Greenbelt Plan and municipal decisions on planning applications must conform with the policies that are applicable to those lands.

At its meeting on April 27, 2011, City Council adopted a report titled Possible Provincial Greenbelt Plan Designation for Toronto River Valleys. The report responded to a request from the Parks and Environment Committee to identify City of Toronto and Toronto and Region Conservation Authority (TRCA) owned lands within the Don and Humber River valleys that may be suitable for addition to the Greenbelt and examined the implications for City and TRCA recreation uses, facilities and infrastructure. The report concluded that it would not be appropriate to add City and TRCA owned lands in river valleys to the regulated area of the Greenbelt Plan at that time because the policies that would apply were designed for rural lands and would not be a good fit for river valleys in the City of Toronto which need to accommodate a variety of recreational uses and facilities and infrastructure. The report recommended that the Minister of Municipal Affairs and Housing revise the Greenbelt Plan policies, as part of the 10 year review of the Greenbelt Plan that will take place in 2015, to clarify how the policies should apply to river valleys that connect the Greenbelt Area to inland lakes and the Great Lakes through existing and approved urban areas and the role that municipalities can play in protecting these important connections.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.PG3.1>

In January 2013, the Province amended the Greenbelt Plan by adding a new "Urban River Valley" designation. This new designation allows municipalities to bring publicly owned

lands within their jurisdiction that are currently outside the Greenbelt into the Greenbelt regulated area under the Urban River Valley designation, provided these lands are located within the main corridors of river valleys that connect the Greenbelt Area to the Great Lakes and inland lakes.

COMMENTS

In March and April 2014, City Planning, Parks, Forestry and Recreation, Toronto Water, Transportation Services, Engineering and Construction Services (Land and Property Surveys) and TRCA met with the Ministry of Municipal Affairs and Housing (MAH) to understand the process and implications of designating public land in Toronto as Urban River Valley and discuss lands that would be potentially suitable for designation. These discussions are summarized in the following sections.

Process and Criteria for Greenbelt Urban River Valley Designation

It is up to the individual municipality to identify which lands to propose for Urban River Valley designation and make an application to amend the Greenbelt Plan boundary. Only public lands may be designated as Urban River Valley. The application would be submitted to the Minister of Municipal Affairs and Housing based on the process and criteria outlined in Growing the Greenbelt (2008) and would need to include the following:

- Council resolution
- Documentation of appropriate engagement with the public, key stakeholders, affected public agencies and aboriginal communities;
- Information demonstrating how the land area proposed to be included in the Greenbelt meets the criteria for designation;
- Confirmation that the area proposed to be included in the Greenbelt would not impede implementation of the Growth Plan or undermine other Provincial initiatives such as Metrolinx's Regional Transportation Plan;
- Survey details that can be used by the Surveyor General to add the land proposed for designation to the Greenbelt Plan Area.

The information required to support an application would need to be assembled by the municipality at its own cost. Any future addition of public lands would need to go through the same process to amend the Greenbelt Area boundary. Land which is added to the Greenbelt Area can be removed only through order of Cabinet. Once designated, the ongoing maintenance and protection of the lands would remain the responsibility of the municipality. There are no existing provincial funds or programs to assist municipalities with the long-term management or protection of these lands.

Lands designated as Urban River Valley would continue to be subject to existing municipal official plan policies provided they have regard for the objectives of the Greenbelt Plan. Greenbelt Plan policies would not apply except for the Protected Countryside External Connections policies and Parkland, Open Space and Trails. No additional restrictions would

be placed on existing, expanded or new infrastructure provided it is subject to Environmental Assessment Act (or similar approval), supports the needs of adjacent urban area and supports the goals and objectives of the Greenbelt Plan.

Implications of Designating Public Lands as Greenbelt Urban River Valley

The Don and Humber Rivers and Etobicoke Creek are identified as river valley connections in the Greenbelt Plan and lands within these river valley corridors would be eligible for designation as Greenbelt Urban River Valley. These river valleys are already well protected through municipal and conservation authority policies and regulations that would continue to apply and the Greenbelt Urban River Valley designation would not provide any additional policy protection to these lands. These river valleys are part of the City's Green Space and natural heritage systems and are protected by Official Plan policies, land use designations, the Ravine and Natural Feature Protection Bylaw and the TRCA's Regulation of Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses (Regulation 166/06). Existing City and TRCA policies, regulations and programs meet or exceeded the External Connections policies and the Parkland, Open Space and Trails policies that would apply.

Land ownership in Toronto river valleys is fragmented and includes both public and private ownership. Greenbelt Urban River Valley designation can only be applied to public lands. As a result, it would never be possible designate a contiguous river valley connection between the Greenbelt and Lake Ontario within the City of Toronto. This discontinuity would be further compounded if upstream municipalities choose not to designate public lands as Urban River Valley. Designating isolated parcels of public land only would not recognize the importance of the entire area of the river valley connections and the ecological and hydrological functions they provide. It may also create the misconception that only designated segments are important to the long term health of the Greenbelt.

Previous work carried out in 2010 and 2011 by City and TRCA staff examined public land in the Don and Humber Rivers and Etobicoke Creek valleys for possible designation as Greenbelt Plan Protected Countryside. Lands which are designated as Natural Areas in the Official Plan and contain natural features and functions are potentially suitable for Greenbelt designation. However, the boundaries of these areas do not necessarily coincide with property boundaries. Many parcels containing natural features also include areas intended for active recreational use. The Province has indicated that active recreational uses are permitted in the Urban River Valley designation if the municipality's Official Plan permits this use but cautioned that municipalities may not want to apply the Urban River Valley designation to land that is used for active recreation or land where active recreational uses may be intensified because such uses may not be compatible with the future vision of the Greenbelt Plan. As a result, it would be necessary to undertake more detailed review of all affected parcels before they could be considered for designation as Greenbelt Urban River Valley.

Detailed review of some lands in the Don and Humber Rivers and Etobicoke Creek corridors is already being carried out as part of preparing an Official Plan amendment to designate environmentally significant areas (ESAs) in the Official Plan. Environmentally Significant

Areas (ESAs) contain high concentrations of natural features and functions and are given the highest level of protection in the Official Plan. Policies that apply to these areas do not permit development and only permit activities that are compatible with the preservation of the natural features and functions. Areas within the Don and Humber Rivers and Etobicoke Creek corridors that are designated as ESAs, along with new areas that meet the ESA criteria, are shown in Attachment 2. Once these ESAs have been designated in the Official Plan, public lands within these areas could be considered for designation as Greenbelt Urban River Valley.

There would be a cost to the City to prepare an application under Growing the Greenbelt (2005) to designate public lands located within the areas shown in Attachment 2 as Greenbelt Urban River Valley. In addition to staff time, there would be out of pocket costs associated with undertaking public and stakeholder engagement and preparing the required survey information. The scope of engagement has been discussed with MMAH and would include: meetings with stakeholder groups, letters and phone calls to aboriginal groups, record keeping and a public meeting. Out of pocket costs for public engagement would be related to placing notice of a public meeting in the newspaper and meeting related expenses.

City staff would need to prepare survey plans to describe the boundaries of the lands proposed for designation as Urban River Valley in a way that can be used by the Surveyor General to add the lands to the Greenbelt Plan area. The Province has indicated that existing property identification numbers (PINs), may be used, however, because ESA boundaries are based on natural features, rather than property ownership parcels, new surveys would need to be completed to identify these ESA areas. These surveys would be in the form of Reference Plans and would need to be deposited in the Registry Office. The preliminary estimated cost to prepare the required Reference Plans to describe the publicly owned land with the areas shown in Attachment Two would be approximately \$538,200.00. These are broken down by river valley system as follows: Don Valley River Valley - \$375,100.00; and Humber River Valley and Etobicoke Creek - \$163,100.00. Further discussions with the Surveyor General and the local Land Registry Office may reduce this cost using other methodologies.

If lands are formally designated as Greenbelt Urban River Valley, the Official Plan would need to be amended to bring it into conformity with the Greenbelt Plan. It should be noted, that if the City wanted to designate additional public land as Greenbelt Urban River Valley in the future, it would be necessary to prepare a new application to amend the Greenbelt Plan. Similarly, any future additions to the Greenbelt Plan would also need to be included in the Official Plan.

Implications of Recognizing Greenbelt River Valley Connections in the Official Plan

Given that Greenbelt Urban River Valley designation would not create a continuous connection between the Greenbelt and Lake Ontario and would not add any additional policy protection to the lands, an alternative approach was considered that would achieve the same goal of recognizing the importance of the river valleys that connect the Greenbelt to Lake Ontario through urban areas such as Toronto.

It is proposed that the Official Plan be amended to: a) identify the Don and Humber Rivers and Etobicoke Creek as Greenbelt river valley connections, as shown in Attachment 3; and b) recognize the important functions that river valley connections provide to the Greenbelt in sidebar text, as shown in Attachment 4. The amendment can be undertaken as part of the upcoming amendment to bring the Official Plan into conformity with the Greenbelt Plan as required by Section 5.3 of the Greenbelt Plan. Section 5.3 requires official plans to conform to the Greenbelt Plan by including policies that reflect the requirements of the Greenbelt Plan and maps that show the boundaries of the Greenbelt Area, including the Protected Countryside and the Natural Heritage System. Municipal official plans are not required to recognize river valley connections, because they are not within the regulated area of the Greenbelt Plan.

Toronto would be the first municipality to do so. Recognizing the importance of river valley connections in the Official Plan will increase the profile of the entire river valley connection and provide a policy foundation for undertaking public information and awareness activities about the important ecological and hydrological functions these river valley connections provide to the Greenbelt Area.

The Official Plan amendment can be done at no additional cost to the City, no land would be added to the Greenbelt and no application to amend the Greenbelt Plan would need to be prepared. Existing municipal and conservation authority policies would continue to apply to the river valley corridors. Because there is no need to amend the Greenbelt Plan, other municipalities may choose to take a similar approach. If both upstream and downstream municipalities recognize river valley connections in their official plans, the entire river valley connection from the Greenbelt to Lake Ontario would be recognized and a strong foundation would be created for municipalities, conservation authorities and others to work together to promote the importance of river valleys that connect the Greenbelt to Lake Ontario and inland lakes and to develop long term management plans for their protection, restoration and enhancement.

Conclusions

The Don and Humber Rivers and Etobicoke Creek connect the Greenbelt Area to Lake Ontario and are important to the long-term health of the Greenbelt Area. Public ownership within the valley corridor is discontinuous. Designating discontinuous parcels of publicly owned land as Greenbelt Urban River Valley would be a piecemeal approach that would not recognize the importance of the entire river valley connection and the functions they provide to the Greenbelt. It may also create the misconception that only designated lands are important to the long term health of the Greenbelt Area. There would be a cost to the City to make an application to designate public lands as Greenbelt Urban River Valley.

Municipal official plans should identify river valley connections and recognize the important ecological and hydrological functions they provide to the Greenbelt. An Official Plan amendment to recognize the Don and Humber Rivers and Etobicoke Creek as river valley connections can be done at no additional cost to the City as part of the City's upcoming Greenbelt conformity amendment. Recognizing river valley connections in official plans will increase their profile, provide a policy foundation for municipalities, conservation authorities and others to undertake public education and awareness about the importance of river valley

connections to the long-term health of the Greenbelt, and support efforts to protect, restore and enhance these corridors both within and across jurisdictions.

This report was prepared in consultation with the General Manager of Parks, Forestry and Recreation, the General Manager of Toronto Water, the General Manager of Transportation and the TRCA.

CONTACT

Joe D'Abromo
Acting Director
Zoning By-law and Environmental Planning
Telephone: (416) 397-0251
Email: jdabromo@toronto.ca

SIGNATURE

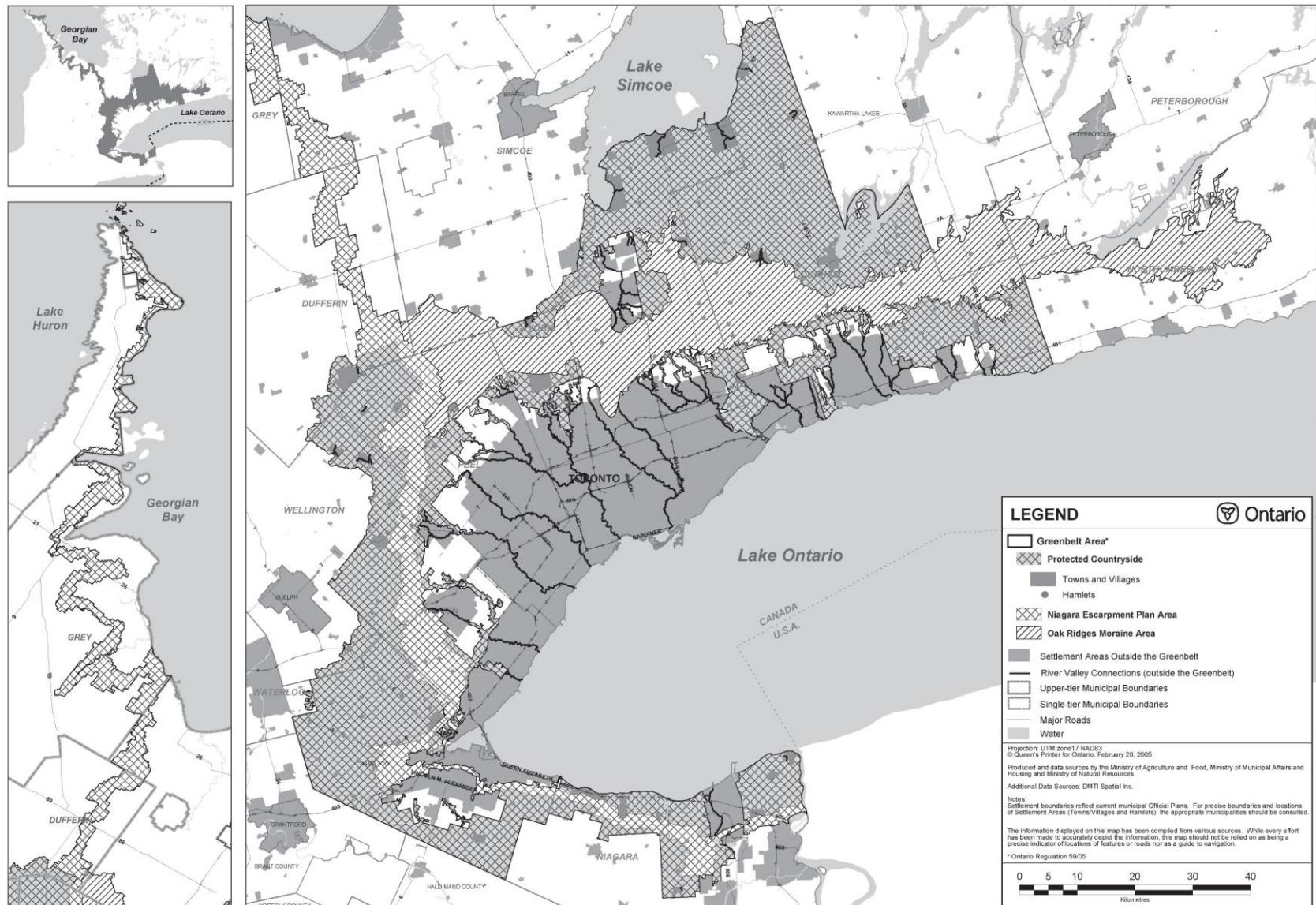
Jennifer Keesmaat, MES, MCIP, RPP
Chief Planner and Executive Director
City Planning Division

ATTACHMENTS

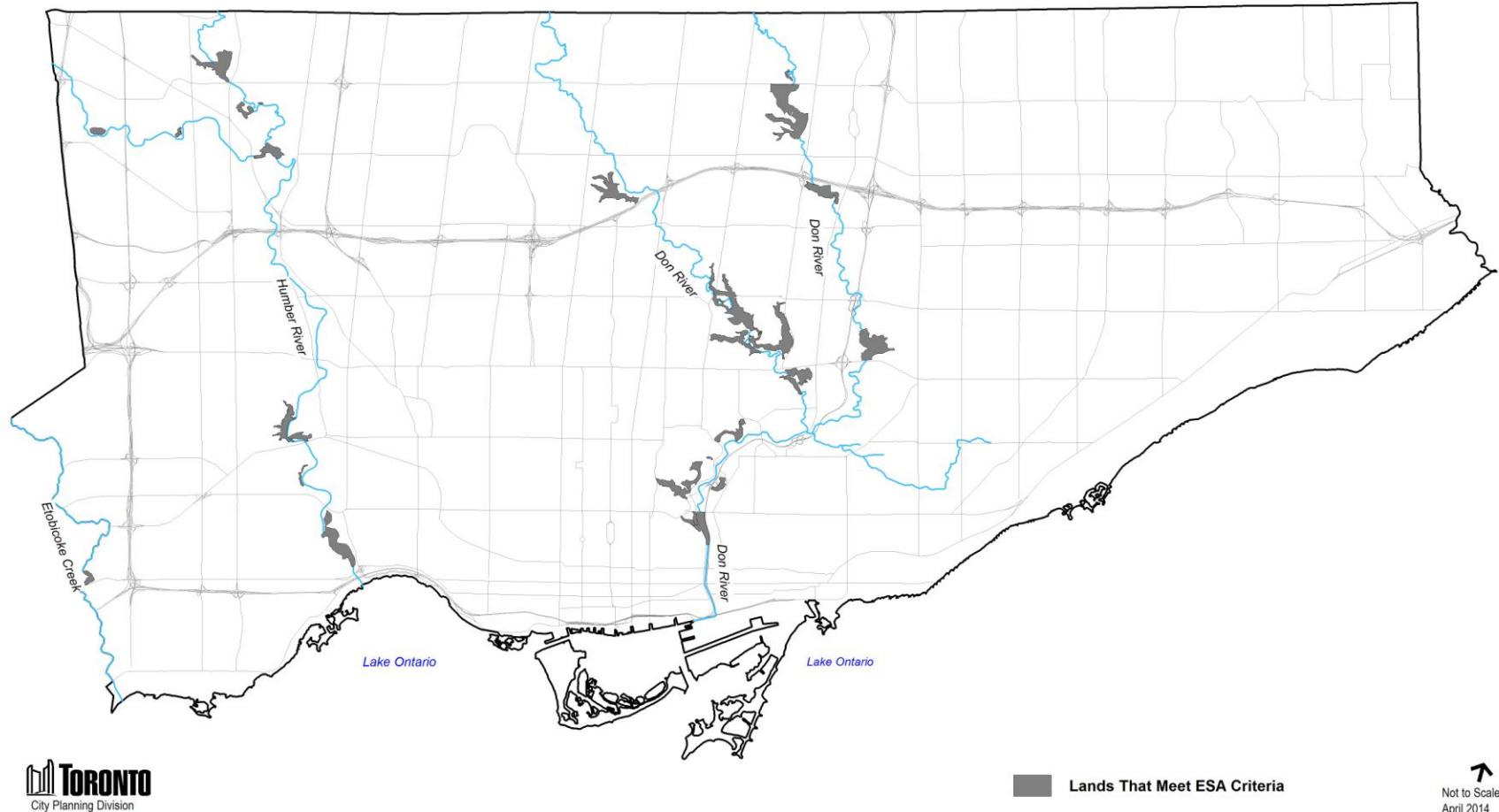
- Attachment 1: Greenbelt Plan Area
- Attachment 2: Lands that Meet ESA Criteria in Don and Humber River and Etobicoke Creek Corridors
- Attachment 3: Greenbelt River Valley Connections Proposed to be Identified in Official Plan
- Attachment 4: Greenbelt River Valley Connection Sidebar Text Proposed to be Included in Official Plan

[P:\2014\Cluster B\PLN\PGMC\PG14041]

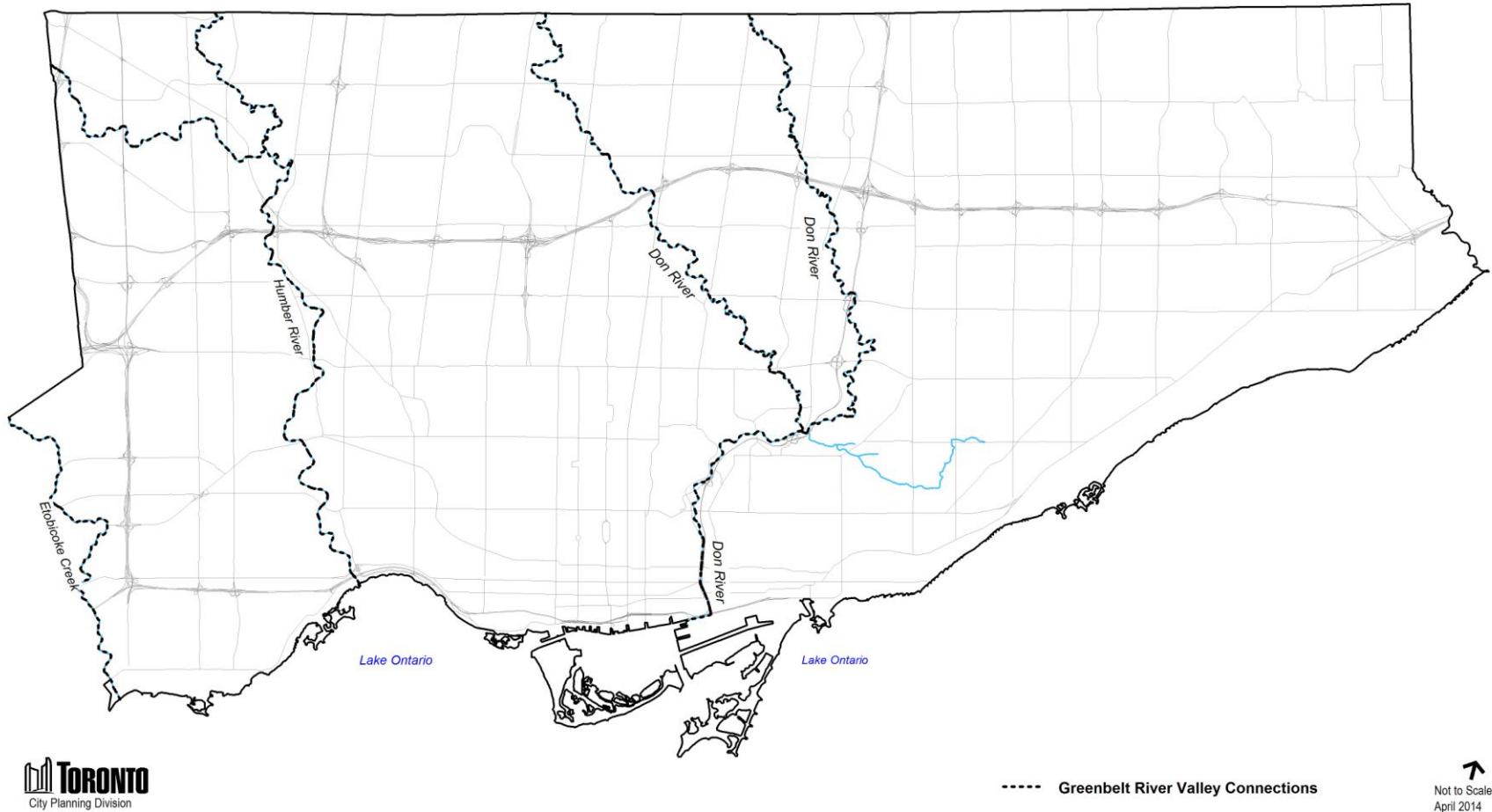
Attachment 1: Greenbelt Plan Area



Attachment 2: Lands that Meet ESA Criteria in Don and Humber River and Etobicoke Creek Corridors



Attachment 3: Greenbelt River Valley Connections Proposed to be Identified in Official Plan



Attachment 4: Greenbelt River Valley Connection Sidebar Text Proposed to be Included in Official Plan

Greenbelt River Valley Connections

The Greenbelt Plan (2005) identifies river valleys that run through existing and approved urban areas and connect the Greenbelt to Lake Ontario and inland lakes. These river valley connections provide ecological and hydrological functions that are important to the long term health of the Greenbelt. Greenbelt Plan policies encourage municipalities and conservation authorities to continue with stewardship, restoration and appropriate park and trail initiatives within and abutting these river valley connections but they are not part of the regulated area of the Greenbelt.

Greenbelt river valley connections within the City of Toronto are illustrated on Map X (see Attachment 3). The City will recognize the important ecological and hydrological functions that these river valleys provide to the Greenbelt through public information and awareness and stewardship programs in partnership with conservation authorities, adjacent municipalities and other levels of government.