



STAFF REPORT ACTION REQUIRED

Environmentally Significant Areas – Proposed Official Plan Amendment

Date:	July 10, 2014
To:	Planning and Growth Management Committee
From:	Chief Planner and Executive Director, City Planning
Wards:	All
Reference Number:	P:\2014\Cluster B\PLN\PGMC\PG14082

SUMMARY

Environmentally Significant Areas (ESAs) are critical areas within the City's natural heritage system. They contain habitats of large size or unusually high diversity, provide habitats for rare species; contain rare landforms, and serve as stop over locations or concentration points for migratory wildlife. These natural treasures are particularly significant and sensitive and are given the highest level of protection in the Official Plan. Development is not permitted in ESAs and activities are limited to those that are compatible with the preservation of their natural features and ecological functions.

At the time of approval of the Official Plan, the City agreed to identify ESAs on Map 12 using information that was available at the time and committed to identify additional ESAs across the City, using criteria in the Official Plan, and to designate these areas on Map 12. This report proposes an amendment to designate sixty-eight (68) new ESAs on Map 12 and amend the boundaries of fourteen (14) existing ESAs. Each area proposed for designation or boundary revision has been studied in detail to verify that it meets Official Plan criteria and to determine appropriate boundaries. Documentation and maps for each area proposed for designation will be made available on the City Planning website in advance of public consultation.

It is recommended that four (4) combined open house/community meetings be held during November 2014 to review the proposed amendment. A report on the outcome of the consultation and a final proposed amendment will be submitted to Planning and Growth Management Committee in the first half of 2015.

RECOMMENDATIONS

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

1. The Chief Planner and Executive Director of City Planning be authorized to conduct an open house and community meeting in each community council area of the City in November 2014 and meet with key stakeholders including TRCA, MNR and other key environmental stakeholders to obtain comments and feedback regarding the proposed amendment contained in Attachment Two.
2. The Chief Planner and Executive Director of City Planning report back to Planning and Growth Management Committee on the outcome of the public consultation by mid 2015.
3. City Planning, Toronto Water, Transportation Services and Parks, Forestry and Recreation continue to work together to develop best management practices to minimize negative impacts from infrastructure projects within or adjacent to ESAs.

Financial Impact

The recommendations in this report have no 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 April 12, 13 and 14, 2005, City Council approved a modification to the Official Plan that required areas of land or water within the natural heritage system that were particularly sensitive to be identified on a map in the Official Plan and a policy to protect these areas to be added to the Official Plan. Eighteen environmentally significant areas (ESAs) were identified on Map 12 of the Official Plan, based on information that was available at that time, and a new policy 13 was added to Section 3.4 of the Official Plan which provided four criteria for identifying ESAs and identified how these areas would be protected. Sidebar text was included to indicate that further study and field work would be carried out to identify ESAs in other parts of the City using criteria provided in policy 13 and these areas would be added to Map 12 through an amendment to the Official Plan.

<http://www.toronto.ca/legdocs/2005/minutes/council/050412.pdf>

BACKGROUND

Environmentally significant areas (ESAs) are exceptionally important areas within the City's natural heritage system. They contain habitats of large size or unusually high diversity; provide habitats for rare species; contain rare landforms; and serve as stop over locations or concentration points for migratory wildlife. These natural treasures are particularly significant and sensitive and require additional protection to preserve their environmentally significant qualities. In addition to their ecological importance, these areas also provide unique opportunities for people to experience and learn about nature, provide quiet places of refuge and a range of landscape experience that goes beyond manicured parkland.

Identification of ESAs has a long history in Toronto. The former City of Toronto, the former City of Scarborough and Toronto and Region Conservation Authority (TRCA) (formerly the Metropolitan Toronto and Region Conservation Authority) each undertook studies to identify ESAs for municipal protection but only the former City of Toronto designated ESAs in the Official Plan. The general intent is to try and ensure the conservation and sustainability of significant species and habitats at the local and regional scale. This approach is similar to the designation of significant areas at the provincial scale such as provincially significant wetlands (PSWs) and Areas of Natural and Scientific Interest (ANSIs). While there tends to be overlap between provincially and locally designated natural features, local designations can also capture areas that have a high degree of local significance.

Between 2006 and 2012 the City Planning Division commissioned a program of study and field investigation to identify areas within the natural heritage system throughout the City that meet one of the four Official Plan criteria. The study approach and an overview of the results is described in a report titled Environmentally Significant Areas (ESAs) in the City of Toronto (2012) prepared by North-South Environmental Inc., Dougan & Associates and Beacon Environmental.
http://www1.toronto.ca/City%20Of%20Toronto/City%20Planning/Zoning%20&%20Environment/Files/pdf/E/esa_report_volume1_sept2012.pdf.

Areas for investigation were identified through review of studies carried out by TRCA (formerly MTRCA), the former City of Toronto, the former City of Scarborough as well as studies undertaken by the Toronto Field Naturalists. Other studies and data from TRCA and the Ministry of Natural Resources (MNR) were also reviewed and targeted air photo interpretation was undertaken. Potential ESAs across the City were identified and field surveys were carried out in each area to screen for qualifying features and determine significant area boundaries. The majority of field surveys were carried out between 2009 and 2012. Some field surveys were carried out in 2006 and 2008, as part of other studies to verify provincially significant areas and existing ESAs. All field assessments followed provincial protocols. Each site was visited on at least one occasion. Some sites were visited more than once. Where areas of interest were located on private land, permission from the owner was obtained prior to access or, if permission was not or could not be obtained, surveys were conducted from adjacent lands. The results of the field surveys

were compared to the four criteria provided in policy 13 of Section 3.4 of the Official Plan. Interpretation guidelines were developed in order to apply the criteria consistently across sites as part of the current study and to provide guidance for consistent application of the criteria to verify or identify new ESAs in the future.

Seventy-six (76) new sites in the City of Toronto were investigated. Five (5) sites did not contain qualifying features. The status of two (2) sites could not be determined because access could not be obtained and sufficient data could not be obtained from other sources. These sites could not be evaluated as proposed ESAs but may be evaluated at a later date if information about the site becomes available. One (1) site is located in an area that will be subject to filling as part of the Don Mouth Naturalization and Port Lands Flood Protection Environmental Assessment and therefore is not proposed for designation on Map 12. All eighteen (18) existing ESAs were investigated to confirm that they continue to meet the Official Plan ESA criteria and identify adjacent areas that contain qualifying features and meet one of the Official Plan criteria.

Sixty-eight (68) new sites meet at least one of the Official Plan ESA criteria and are proposed to be designated on Map 12 of the Official Plan. The boundaries of fourteen (14) existing ESAs are proposed to be extended. The locations of existing ESAs and areas proposed for designation as ESAs, in each community council area, are shown in Attachment One. A total of 2,698 ha or 4% of the City's land area (66,750 ha) meets one of the four Official Plan criteria.

Provincial Policy Framework

Provincial Policy Statement 2014

The Provincial Policy Statement (PPS), 2014, provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong, healthy and resilient communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes and supports the protection of natural features and areas, requires natural heritage systems to be identified in certain areas of the province and identifies provincially significant natural heritage features that require protection. City Council's planning decisions are required to be consistent with the PPS. The amendment proposed in this report is consistent with the PPS.

Greenbelt Plan (2005)

The Greenbelt Plan (2005) is considered a cornerstone of the Growth Plan for the Greater Golden Horseshoe. The Greenbelt Plan identifies where urbanization should not occur in order to provide permanent protection to the agricultural land base and the ecological features and functions occurring within this landscape. In addition to providing permanent agricultural and environmental protection, the Greenbelt contains important natural resources and supports a wide range of recreational and tourism

uses. City Council's planning decisions related to lands identified within the Greenbelt are required to conform to the Greenbelt Plan. Within the City of Toronto, portions of the Rouge Valley are designated as Greenbelt Protected Countryside. Some of the proposed ESAs are located within the Greenbelt Protected Countryside. The proposed amendment does not conflict with the Greenbelt Plan.

COMMENTS

Sixty-eight (68) new ESAs are proposed to be added to Map 12 and the boundaries of fourteen (14) existing ESAs are proposed to be extended (Attachment One). All of the areas proposed for designation are located within the natural heritage system or designated Parks and Open Space. Most are located entirely within areas regulated by the Ravine and Natural Feature Protection (RNFP) bylaw and TRCA's Regulation of Development, Interference with Wetlands, and Alteration to Shorelines and Watercourses (Regulation 166/06). The majority of the areas proposed for designation are located on land owned by the TRCA and managed by the City.

Under policy 13 of Section 3.4, development is not permitted in ESAs and activities are limited to those that are compatible with the preservation of the natural features and ecological functions attributed to these areas. An impact study is required for any proposed undertakings that are not already the subject of an Environmental Assessment. In addition to impacts from development, ESAs can also be negatively affected by site alteration, including changes to grade and removal of vegetation. In order to help protect their environmentally significant qualities, policy 13 of Section 3.4 is proposed to be amended to prohibit site alteration within ESAs. A separate report on proposed amendments to Official Plan environmental policies is before the committee at the same meeting.

The purpose and intent of designating the areas shown in Attachment One as ESAs on Map 12 of the Official Plan are discussed below.

Review by City Divisions

Areas proposed for ESA designation were reviewed by Parks, Forestry and Recreation, Toronto Water and Transportation Services to determine implications for existing and proposed facilities and infrastructure and future management needs.

No new capital facilities are proposed in areas that meet the ESA criteria in the 10 year Parks capital plan. Most Parks' related projects (166 of 188) are state of good repair and trail reconstruction. The majority of ESAs are located on natural parklands managed by Parks, Forestry and Recreation Division. With the City's population expected to grow by an additional 360,000 residents by 2031, one of the challenges will be to ensure that these significant natural areas continue to function and flourish for the long term. Many existing and proposed ESAs are affected to varying degrees by invasive species, ad hoc paths, encroachments and dumping of garbage and would benefit from enhanced management. A study is underway to develop management strategies for each ESA area

managed by Parks, Forestry and Recreation. The results of this study will be used to guide and prioritize future management activities in these areas.

Many of the areas that meet the ESA criteria are located in river valleys that may also contain water infrastructure such as sanitary sewers and storm water management facilities that will need to be maintained and upgraded over time. Some new water infrastructure is also proposed to be located within existing and proposed ESAs over the next 25 years including seventeen (17) naturalized storm water management ponds and ten (10) underground storm water management facilities. These storm water management facilities are part of the City's Wet Weather Flow Master Plan which was developed to mitigate impacts associated with urban runoff and improve water quality in watercourses. In addition, there are five (5) existing water treatment plant facilities, some of which will require capital improvements in the future, and thirty-two (32) above ground and twenty-five (25) below ground storm water management facilities proposed within 500 m of existing and proposed ESAs.

A number of public roads pass through or adjacent to ESAs. These roads will continue to be maintained or reconstructed in their current alignment over time. Six (6) facilities operated by Transportation Services are located within 500 meters of existing or proposed ESAs however none are located immediately adjacent. There are no new transportation facilities proposed within areas that meet the ESA criteria in the 5 year capital plan.

In order to provide for necessary infrastructure and protect ESA features and functions, policy 13 of Section 3.4 requires that new infrastructure proposed within ESAs that is not already the subject of an environmental assessment prepare an impact study. Amendments are proposed through a separate report on Official Plan environmental policies that is before the committee at the same meeting, to strengthen policy 13 by requiring new or expanding infrastructure to avoid ESAs unless there is no reasonable alternative and negative impacts are minimized. Best management practices will also be developed to identify planning, design and construction practices that will minimize the negative impacts of any new or expanding infrastructure which cannot be avoided.

Environmentally Significant Areas on Private Land

Some areas that meet the ESA criteria are located on privately owned land. Most of these areas are found at or below the top-of-bank on lands designated as Parks and Open Space Natural Areas and regulated by the RNFP bylaw and TRCA. Official Plan policies restrict development in these areas and removal of vegetation and changes to grade are regulated. Designating these areas as ESA is a refinement of the existing land use designation, which already restricts development, by fine-tuning the location and identifying the value of these already protected areas.

The boundaries of ESAs follow natural features and may sometimes extend above the top of bank onto lands that have underlying zoning permission. Amendments are proposed to policy 13 through a separate report on Official Plan environmental policies that is also

before the committee at the same meeting, to require an impact study for any development near these areas and to require new development to avoid these areas, minimize negative impacts and, when possible, restore and enhance the ecological functions attributed to these areas. Where known ESAs extend above the top-of-bank onto lands which have underlying zoning permissions, the areas above the top-of-bank may be used to calculate permissible density in the Zoning Bylaw.

Attachment One to this report provides maps which show the general location of areas proposed for ESA designation but not at a scale to discern property lines. For information purposes, detailed mapping for each proposed ESA will be made available on the City's website and at the open house and community meetings along with detailed descriptions of each site including its significant qualities and the Official Plan criteria fulfilled.

Next Steps

Staff propose to give notice of the proposed amendments to Map 12 and will conduct four combined open house/community meetings, one in each community council area, in November 2014. These meetings will be coordinated with consultation being carried out for proposed amendments to the Official Plan environmental policies that are provided in a separate report that is also before this committee at the same meeting. Following consultation on the proposed amendments to Map 12, staff will report back to the committee on the outcome of the consultations and final proposed amendment in the first half of 2015.

CONTACT

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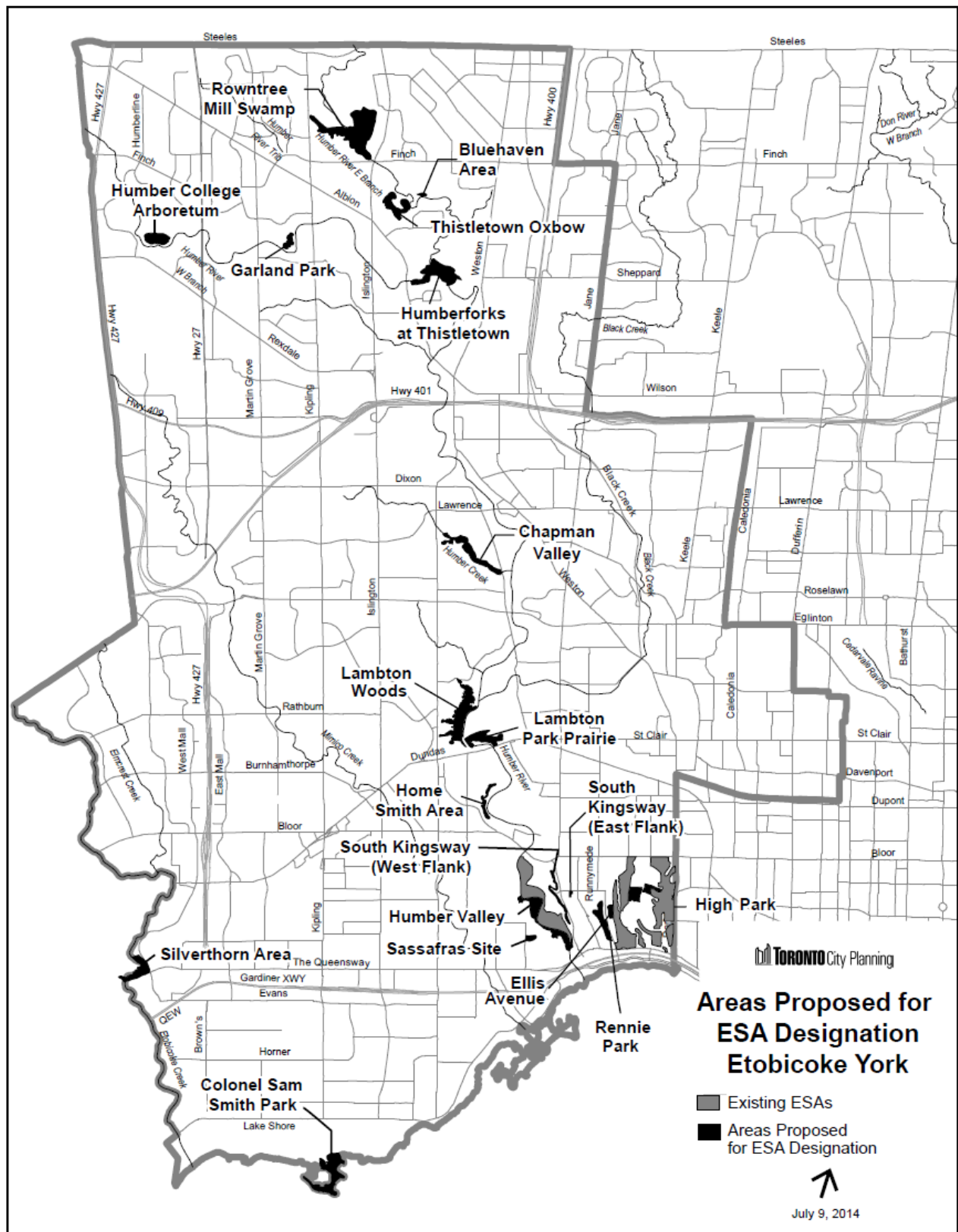
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Chief Planner and Executive Director
City Planning Division

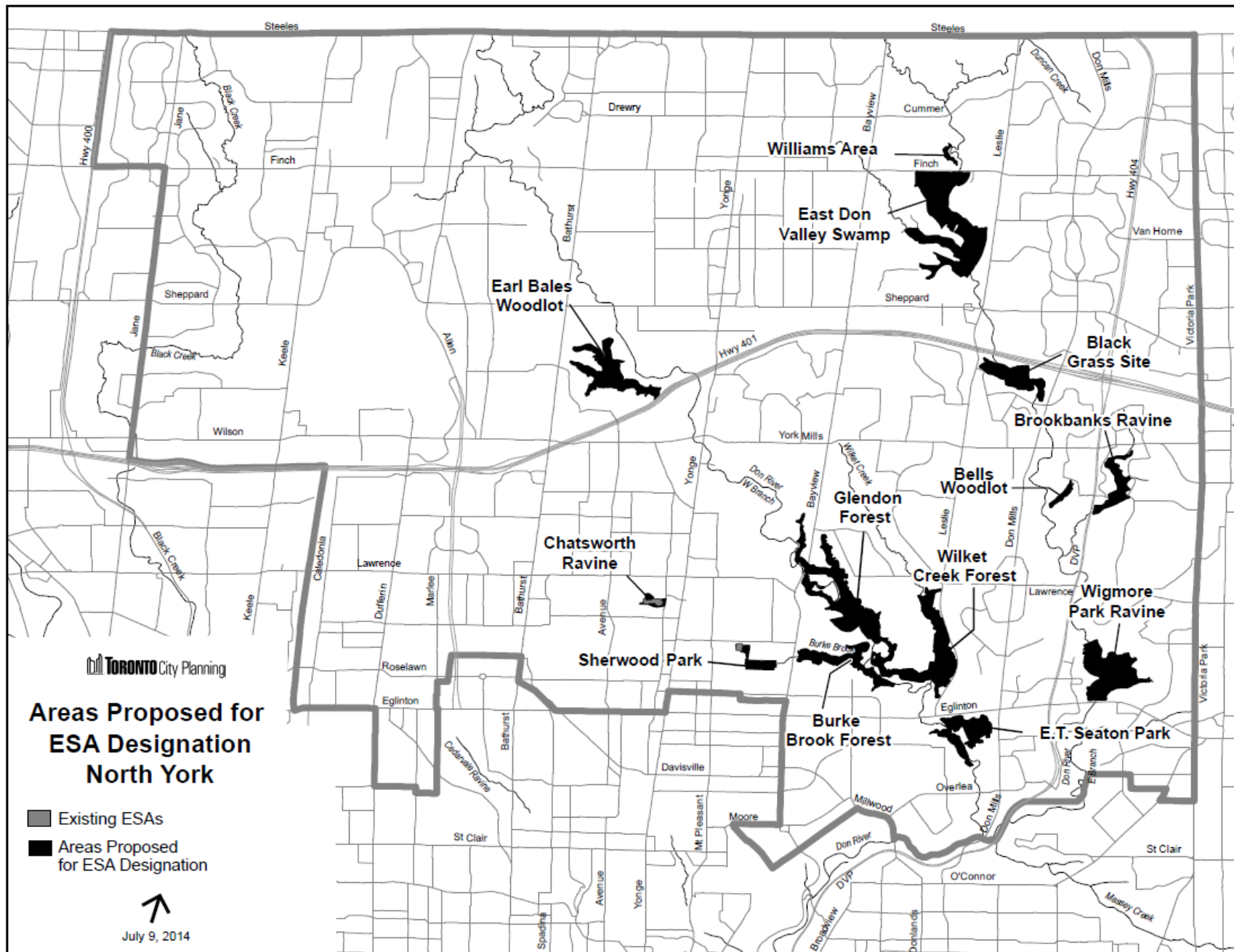
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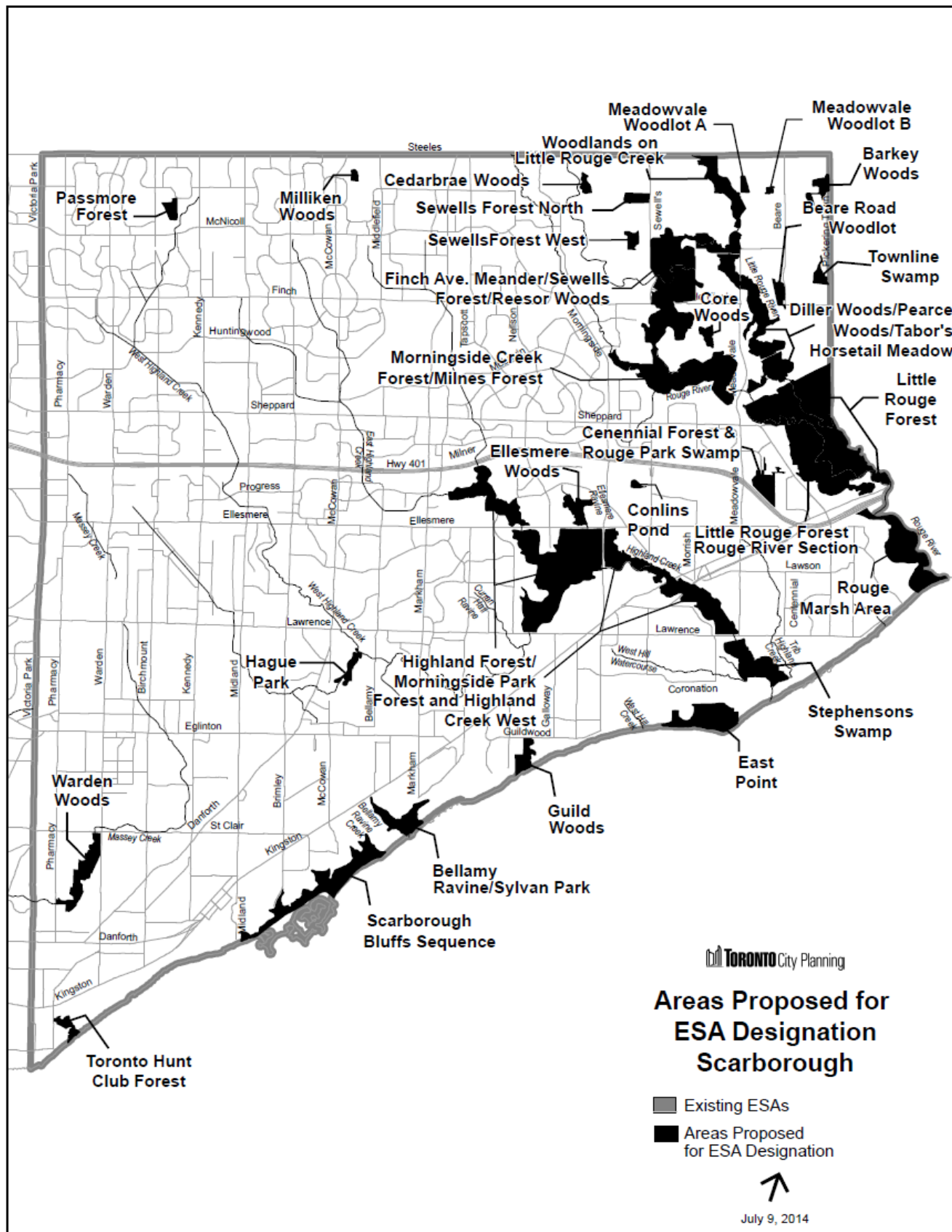
Attachment One: Areas Proposed for ESA Designation
Attachment Two: Draft Official Plan Amendment

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Attachment One: Areas Proposed for ESA Designation







Attachment Two: Draft Official Plan Amendment

AMENDMENT NO. 262 TO THE OFFICIAL PLAN ENVIRONMENTALLY SIGNIFICANT AREAS IN THE CITY OF TORONTO

The Official Plan of the City of Toronto is amended as follows:

1. Map 12 is amended by replacing the existing Map 12 with the Map 12 shown below.



Not to Scale

Toronto City Planning
Official Plan Amendment #262

Map 12, Environmentally Significant Areas

File # PG14082

 Environmentally Significant Areas

Map 12 Environmentally Significant Areas to replace existing
Map 12 Environmentally Significant Areas

June 2014