

Municipal, Planning and Property Tax

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Crombie Advisory Panel Report: Recommendations Include Growing the Greenbelt and Tighter Controls on Settlement Area Expansion

In December 2015, the Ontario Ministry of Municipal Affairs and Housing received an extensive set of recommendations for improving the province's management of growth in the Greater Golden Horseshoe (GGH). The GGH, a collection of municipalities around Lake Ontario, is the engine of Ontario's economy and Canada's fastest growing urban region. In an effort to accommodate this growth, the province has established a framework of provincial plans intended to guide development in the area while protecting its natural resources.

The provincial government established an advisory panel led by former Toronto mayor David Crombie (the "**Panel**") to review this framework as part of a statutory ten year review process. The Panel's report, entitled *Planning for Health, Prosperity and Growth in the Greater Golden Horseshoe: 2015-2041*, contains 87 recommendations addressing a wide range of issues, including a proposed expansion of the Greenbelt to protect more lands from development and tighter controls on settlement expansions. The Panel's recommendations are expressed at a very general level, but they will ultimately be used to inform amendments to provincial legislation and plans that may be implemented as soon as the summer of 2016.

Improving the Policy Framework for the GGH

The existing policy framework for the GGH is comprised of four provincial plans:

1. the Growth Plan for the GGH (the "**Growth Plan**");
2. the Greenbelt Plan;
3. the Oak Ridges Moraine Conservation Plan; and
4. the Niagara Escarpment Plan

While the Panel noted that these plans provide a strong foundation for the region, it emphasized that there is an urgent need for improvement. It contends that urban sprawl has continued, albeit at a slower rate, causing traffic congestion, the loss of significant agricultural land and the ongoing degradation of environmental conditions. In the Panel's view, the province "can and must do better." Key among the Panel's many recommendations to catalyze that improvement are proposals to expand the Greenbelt and strengthen controls over settlement area expansions.

Growing the Greenbelt

The Greenbelt was established in 2005 to protect environmentally sensitive and agricultural lands from development and curb urban sprawl. The Panel found that investors and developers have been "leapfrogging" the Greenbelt and acquiring lands just outside its boundaries to secure future development opportunities. It is suggested that this activity drives up land prices, diminishes the economic viability of agricultural operations, and raises fears of development pressures in protected natural areas.

To combat these problems, the Panel recommends expanding the boundaries of the Greenbelt through two means:

1. *Expanding the Protected Countryside.* The Panel recommends establishing a provincially-led process, in consultation with municipalities, conservation authorities and other stakeholders, to identify additional areas of ecological or hydrologic significance where urbanization should not occur.

Goodmans^{LLP} Update

2. *Designating Additional Urban River Valleys (URVs).*
The URV designation protects river valleys in urban areas that serve as gateways to the Greenbelt. The Glenorchy lands in Oakville are the only lands currently designated URV. The Panel recommends establishing a provincially-led process to designate additional URVs. It suggests that lands eligible for URV designations should include not only publicly-owned lands, but also private lands if the landowner requests designation and the municipality supports it.

While these recommendations are framed in broad and somewhat vague terms, they indicate that more lands in the GGH may soon become unavailable for development.

Strengthening Controls on Settlement Area Expansions and Agricultural Land Conversions

The Growth Plan directs urban development to “settlement areas,” including cities, towns, villages and hamlets. Under the current policy framework, lands can be added to settlement areas through boundary expansions, if certain criteria are met.

Relying on a 2013 Neptis Foundation analysis, the Panel noted that there is now more land designated for development than required to accommodate forecasted growth to 2031. However, it also noted that some of the designated land may not be located in areas that are experiencing the greatest growth or which have existing or planned infrastructure to support such growth.

The Panel therefore recommends establishing stronger criteria for settlement area expansion. If the Panel’s recommendations are adopted, proposals for expansion would have to include, among other things, an array of supporting materials including a land needs assessment (based on a new “uniform and transparent method”), the application of higher intensification and density requirements, source water protection plans, comprehensive watershed plans, and infrastructure plans.

The Panel also recommends considering stronger criteria to limit the conversion and fragmentation of prime agricultural lands. These measures are expected to improve the protection of productive farmland and essential natural systems, while reducing traffic congestion and greenhouse gas emissions.

Next Steps

The Panel’s recommendations, though sweeping in scope, are relatively short on details. The province will have to determine whether and, if so, how it will implement the recommendations. The province has indicated that it hopes to have amended plans in place by summer 2016. If the Panel’s recommendations are adopted, more GGH lands may soon become shielded from development.

Please contact any member of our Municipal, Planning and Property Tax Group if you wish to discuss these plans.