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April 21, 2010

Carol Reid, Clerk  
Region of Peel  
10 Peel Centre Drive  
Brampton, Ontario  
L6T 4B9

LEGISLATIVE SERVICES	
COPY TO:	FOR:
Chair	✓ Committee
CAS	✓
Corporate Services	✓ Council
Public Works	May 6
Employee and Business Services	
Health Services	File
Human Services	
Peel Living	

Dear Ms. Reid:

**RE: Town of Caledon Comments on Final Draft Regional Official Plan Amendment 21B – Natural Heritage and Agricultural Policies (ROPA 21B)**

At the regular meeting of Council held on April 20, 2010, Council received Report PD-2010-029 regarding Town of Caledon Comments on Final Draft Regional Official Plan Amendment 21B – Natural Heritage and Agricultural Policies (ROPA 21B). The following was adopted:

*That Report PD-2010-029 regarding Final Draft Regional Official Plan Amendment 21B – Natural Heritage and Agriculture Policies (ROPA 21B) be received; and,*

*That the Town of Caledon express its support of the final draft Natural Heritage and Agriculture policies contained in ROPA 21B; and,*

*That Report PD-2010-029 be forwarded to the Region of Peel as the Town of Caledon's comments on the final draft Natural Heritage and Agriculture policies contained in ROPA 21B; and,*

*That a copy of Report PD-2010-029 and related Council resolution be forwarded to the Clerks of the Cities of Brampton and Mississauga for their information.*

Attached you will find a copy of Report PD-2010-029.

If you have any questions regarding the report, please contact Todd Salter, [todd.salter@caledon.ca](mailto:todd.salter@caledon.ca) (905) 584-2272 ext: 4172 in the Planning Department.

Yours truly,

Barbara Karrandjas  
Legislative Administrator  
e-mail: [barbara.karrandjas@caledon.ca](mailto:barbara.karrandjas@caledon.ca)

APR 20 2010

REGION OF PEEL  
CLERKS DEPT.

cc: Todd Salter, Manager of Policy  
Andrea Ireland, Administrative Assistant, Planning Department  
Region of Peel, Commissioner of Public Works  
City of Mississauga, Ms. Crystal Greer  
City of Brampton, Mr. Peter Faye

REFERRAL TO  
RECOMMENDED  
DIRECTION REQUIRED  
RECEIPT RECOMMENDED



**PLANNING AND DEVELOPMENT DEPARTMENT**  
**Policy Section**  
**Report PD-2010-029**

To: Mayor and Members of Council

From: Mary Hall, Director of Planning & Development

Meeting: April 20, 2010

Subject: **TOWN OF CALEDON COMMENTS ON FINAL DRAFT REGIONAL OFFICIAL PLAN AMENDMENT NUMBER 21B – NATURAL HERITAGE AND AGRICULTURE POLICIES (ROPA 21B)**

**RECOMMENDATION**Requires Action For Information Only 

That Report PD-2010-029 regarding Final Draft Regional Official Plan Amendment 21B – Natural Heritage and Agriculture Policies (ROPA 21B) be received; and,

That the Town of Caledon express its support of the final draft Natural Heritage and Agriculture policies contained in ROPA 21B; and,

That Report PD-2010-029 be forwarded to the Region of Peel as the Town of Caledon's comments on the final draft Natural Heritage and Agriculture policies contained in ROPA 21B; and,

That a copy of Report PD-2010-029 and related Council resolution be forwarded to the Clerks of the Cities of Brampton and Mississauga for their information.

**ORIGIN/BACKGROUND**

The Peel Region Official Plan Review (PROPR) has been ongoing since 2007 when the work plan was approved by Regional Council. The purpose of PROPR is to review and update the Region of Peel Official Plan (ROP) to, among other objectives, bring the ROP into conformity with new Provincial planning legislation and policies, including the Growth Plan for the Greater Golden Horseshoe (Bill 136), the Greenbelt Plan (Bill 135), the Provincial Policy Statement (PPS 2005) and the Planning and Conservation Land Statute Law Amendment Act (Bill 51)

PROPR has involved the completion of background studies/discussion papers, collaboration with area municipal staff and consultation with the public and stakeholders, and has resulted in the formulation of draft conformity policies to addresses 15 Focus Areas. The draft policies were released in 2009 as a series of theme-based bundles of Regional Official Plan Amendments (ROPAs) as follows:

- ROPA 20 Sustainability and Energy Policies, released on January 22, 2009: was adopted on May 14, 2009; approved by the Province on November 26, 2009 with modifications; and has been appealed to the Ontario Municipal Board;

- draft ROPA 21 Agriculture, Air Quality, Natural Heritage, Integrated Waste Management Policies, released on February 26, 2009: was split into two amendments: ROPA 21A Air Quality and Integrated Waste Management which was adopted on November 19, 2009 and; draft ROPA 21B Natural Heritage and Agricultural policies, which is anticipated to go to Regional Council for adoption in May 2010;
- ROPA 22 Transportation Policies, released on March 26, 2009: was adopted on November 19, 2009;
- ROPA 23 Housing Policies, released on June 18, 2009: was adopted on November 19, 2009;
- draft ROPA 24 Growth Management, Employment Lands and Greenbelt Policies, released on July 9, 2009: scheduled to go to Regional Council for adoption on April 22, 2010; and,
- ROPA 25 Monitoring & Housekeeping, released on September 10, 2009: was adopted on February 11, 2010.

On April 21, 2009 Council considered Report PD-2009-036 which provided initial staff comments on draft ROPA 21. At this meeting, Council also received a delegation of the Peel Federation of Agriculture (PFA) expressing some concerns with ROPA 21 and indicating that they were seeking additional opportunities to meet with Regional staff to discuss the agricultural and natural heritage policies proposed in ROPA 21. On the basis of the comments made by the PFA delegates, Council passed a resolution to defer Report PD-2009-036 and directed staff to provide two separate reports on draft ROPA 21; one dealing with Air Quality and Integrated Waste Management policies, and another, dealing with Agriculture and Natural Heritage policies to be brought back to Council after additional dialogue had occurred between the Region and PFA. As directed, staff reported back on the Air Quality and Integrated Waste Management component of ROPA 21 (ROPA 21A) on May 26, 2009 (Report PD-2009-36, as revised). On October 20, 2009, Council received Report PD-2010-073 which provided comments on the Natural Heritage and Agricultural components of ROPA 21 (ROPA 21B).

In total, the Region received 50 comments on draft ROPA 21B. Regional staff, with the assistance of a Technical Advisory Committee consisting of Regional and area municipal staff, has reviewed the issues raised by the comments and is considering appropriate responses to these issues, including potential revisions to ROPA 21B. The contents of this report are based on Caledon staff's current understanding of the Region's anticipated responses to issues and recommended revisions to ROPA 21B, which will be the subject of a Regional staff report expected in early May, 2010.

## DISCUSSION

The following discussion section addresses two key areas of interest to Caledon: the Region's proposed responses to Caledon's comments of October 20, 2009 (Report PD-2009-073); and the Region's consultations/discussions with the PFA to resolve their concerns.

**Town of Caledon Comments:**

**Natural Heritage Policies:**

As noted in Report PD-2009-073, in broad terms, the natural heritage policies of ROPA 21B are largely responsive to Caledon's objectives, for example, the proposed woodlands and wildlife habitat policies are based on a scientifically sound background document, the Peel-Caledon Significant Woodland and Significant Wildlife Habitat Study. Also, progressive new policies are proposed with respect to greenlands securement, private land stewardship, and financial incentives relating to ecological goods and services. The Town provided the following specific comments with a view to further refining and clarifying the policies:

**1. Comment:** Further refinements to the proposed Regional Core Greenlands mapping are required to improve accuracy and reflect Caledon's recent environmental mapping refinement exercises.

**Response:** The Region has undertaken further review and refinement of the proposed Regional Core Greenlands mapping and held a Public Open House in Caledon in February 2010 to present the proposed mapping and seek public input. Town staff is now satisfied that the proposed revisions to the Regional Core Greenlands mapping are sufficiently accurate for inclusion in the ROP and that appropriate mechanisms are available to allow further mapping refinements at the local or site level. Although the Town has not undertaken a mapping review as part of its Provincial Policy Conformity exercise, consideration can be given to including the Region's revised Core Greenlands mapping as a Figure in the Caledon Official Plan for reference and screening purposes.

**2. Comment:** Further refinement is required with respect to the "minor development" and "minor site alteration" exemptions within Regional Core Greenlands to ensure that an appropriate range of uses are permitted within Regional Core Greenlands and that criteria and requirements proposed to apply to such uses are reasonable and in balance with the potential for impacts.

**Response:** Based on extensive discussions with the Technical Advisory Committee (TAC) and stakeholders, including the PFA, the Region will be further refining the policies referenced in this comment. Based on staff's current understanding of the proposed refinements, staff is satisfied that appropriate policy clarity and balance will be achieved. The Region will allow area municipalities to consider relying on existing tools and mechanisms to manage the potential impacts of such minor development within Core Greenlands, rather than requiring the establishment of new regulatory tools, such as scoped site plan control for agricultural and residential uses. Caledon prefers and supports this proposed approach. The Town and/or Region may wish to develop methods for long-term monitoring of minor development within Core Greenlands to determine if impacts are occurring and if additional tools (regulatory and/or non-regulatory) may be needed.

**3. Comment:** Clarification is needed with respect to the policies that apply to agricultural uses within Regional Core Greenlands: specifically, the policies need to explicitly recognize that new agricultural buildings are permitted where existing agricultural operations occur within Core Greenlands.

**Response:** The Region is refining the agriculturally related policies to address this comment, taking into consideration the outcomes of the further consultations with the PFA (as discussed below). The revised policies will explicitly permit new agricultural building associated with existing operations, subject to avoiding or minimizing impacts on natural heritage features where possible (refer to discussion under Comment 2 above regarding the use of existing tools to manage impacts).

**4. Comment:** There are a number of areas where the proposed policies inappropriately indicate that the area municipalities have a primary delivery role, such as with respect to invasive species management and the delivery of natural heritage stewardship programs. The policies need to be revised to ensure that they correctly characterize the role of the area municipalities.

**Response:** The Region is revising the policies as requested.

**5. Comment:** The ROP should acknowledge the significant role that Caledon's natural heritage systems play with respect to climate change mitigation and carbon sequestration and the associated economic/financial value of these services.

**Response:** The Region has advised that policies proposed through ROPA 20 (Sustainability), ROPA 21A (Air Quality & Climate Change) and ROPA 21B (Natural Heritage) adequately acknowledge the role that natural systems play in climate change mitigation and carbon sequestration. Regional staff has indicated reservations about singling out Caledon's natural systems, and thereby appearing to diminish the importance of natural systems in Brampton and Mississauga. It should be noted that as part of ROPA 20, the Region is proposing to prepare, in consultation with a variety of stakeholders, including the area municipalities, a Climate Change Strategy to address both mitigation and adaptation aspects of climate change, including the establishment of targets, policies and programs to reduce the effects of climate change and minimize adverse impacts. Caledon staff suggests that the economic/financial value of carbon sequestration services provided by natural heritage systems in Caledon be considered through the preparation of the Region's Climate Change Strategy.

### **Agricultural Policies:**

Again, as noted in Report PD-2009-073, the proposed agricultural policies contained in draft ROPA 21B generally reflect a significant effort on the part of the Region to acknowledge the key issues and challenges faced by agriculture in Peel and in the

broader national and international context, and provide appropriate Regional policy responses to these key issues. The Region has been making ongoing efforts to consult with the agricultural sector and has shown an openness to continue to fine-tune the policies to meet the needs of agriculture in Peel. The Town provided the following specific comments on the draft agricultural policies with a view to further refining and clarifying the policies:

**1. Comment:** The preamble to the policies could go further than simply addressing provincial conformity; it should speak to a Regional philosophy of supporting a thriving and viable agricultural industry in Peel, and embracing innovation and new practices (e.g. producing bio-mass for fuel).

**Response:** The preamble is being revised to address this comments; it will note that the policies in ROPA 21B provide a comprehensive strategy to address issues related to the viability and sustainability of farming as an economic activity in Peel. Innovation and new practices are addressed more specifically in subsequent policies.

**2. Comment:** The policies should provide greater recognition of the challenges faced by near urban agriculture and the need to research these challenges, and identify appropriate policy and other responses to reflect the distinct and evolving nature of near-urban agriculture in Peel, for example reviewing the restrictions on minimum lot size.

**Response:** The Region is proposing to include a new policy (3.2.2.18) that specifically addresses this comment, indicating that the Region will investigate with the area municipalities, the challenges and emerging needs of near urban agriculture, and citing a number of potential challenges, such as movement of farm equipment on congested roads; the adequacy of infrastructure; and farm parcel sizes.

**3. Comment:** The policies should acknowledge that much of the Prime Agricultural Area in Peel is also within the Growth Plan Area, and that future development and urban expansions may be required within parts of the Prime Agricultural Area, if necessary to accommodate Provincial and Regional population and employment allocations.

**Response:** The identification of three Settlement Study Areas (SSA's) in Caledon (adjacent to Bolton, Mayfield West and Tullamore) through ROPA 24 Growth Management, Employment Lands and Greenbelt, and the related SSA objectives and policies, is an acknowledgement that there are areas of Prime Agricultural land in Caledon that may need to be studied to determine their potential role in accommodating long term population and employment growth in Caledon. It should be noted though, that the SSA's are not intended to represent actual development or settlement area boundaries; ROPA 24 establishes further detailed policies that apply to any proposed expansions to the Bolton, Mayfield West and Tullamore

settlement areas, and this includes policies related Prime Agricultural Areas.

**4. Comment:** The policies should acknowledge and encourage agriculturally related uses that are necessary for the long term viability of an agricultural industry in Peel, such as value-added industries like agricultural research institutes, feed mills and fertilizer depots;

**Response:** The Region is modifying the policies to very explicitly support the continuation of a thriving and viable agricultural industry in Peel including value-added uses; diversification, agricultural innovation and new practices in all aspects of the industry."

**5. Comment:** The Region should indicate, in policy, that it will review the identification of the Prime Agricultural Area in Peel, and research the long term role and function of the Prime Agricultural Area in the context of new dynamics introduced by the Greenbelt Plan and the Growth Plan for the Greater Golden Horseshoe.

**Response:** Policy 7.6.2.17 indicates the Region will undertake a Land Evaluation Area Review (LEAR) for the Prime Agricultural Area. Regional staff has indicated that this policy does not preclude the consideration of the effects of the new Provincial Plans, but that their preference is to address the details of what is to be considered as part of the LEAR through the LEAR terms of reference, which will be developed in consultation with the Town of Caledon. Town staff is satisfied with this approach.

**6. Comment:** The Region should consider including a policy to monitor the effects of the Provincial Minimum Distance Separation (MDS) formulation on the viability of agricultural operations in order to build up an information base for future provincial reviews of the MDS formula.

**Response:** Proposed policy 7.6.2.17, as noted under the response to comment 5 above, also indicates that the Region will undertake research with the Town to review and assess the application of the Minimum Distance Separation (MDS) formulae in Peel."

**7. Comment:** There should be a policy relating to the proposed Strategic Infrastructure Study Area that speaks to minimizing impacts on agricultural operations (e.g. new infrastructure splitting farms).

**Response:** The Region has included new wording to the introduction to the Strategic Infrastructure Study Area (SISA) policies contained in draft ROPA 24 acknowledging that any future infrastructure approvals must consider a range of impacts and studies. Regional staff has indicated that they would prefer to leave this wording general and not to try to list all of the potential impacts to be considered. Additional detailed comments, including comments regarding impacts on agricultural operations, can be

provided by the Town and Region when responding to specific proposed infrastructure projects. Town staff is satisfied with this approach.

### **Peel Federation of Agriculture**

Peel Regional staff has been meeting with representatives of PFA over the past year to review and discuss the concerns raised by their organization regarding ROPA 21B and to determine if revisions to the policies would resolve/mitigate PFA's issues. Caledon staff has also attended most of these meetings to participate in the discussions and to determine if aspects of Caledon's draft Provincial Policy Conformity amendment, OPA 226, would need to be modified to reflect the outcomes of the ROPA 21B discussions. It is understood that the discussions have generally been productive; Regional staff has provided clarification with respect to a number of existing and proposed policies, and as outlined earlier in this report, the Region is also proposing revisions to ROPA 21B to provide further support and flexibility for agriculture in Peel. At its meeting of April 7, 2010, the PFA passed a resolution indicating its support, in principle, for ROPA 21B, and asking the Region to consider the evolution of agriculture in ROPA 21B. Regional staff has confirmed ROPA 21 B does consider and support the evolving nature of agriculture in Peel. It is also understood that the PFA continues to have concerns with respect to the interpretation of the term "existing agriculture" in the Provincial Policy Statement (PPS) and will be pursuing this matter through the next Provincial review of the PPS.

### **FINANCIAL IMPLICATIONS**

The proposed policies contained in ROPA 21B have no immediate financial implications to the Town of Caledon. Any potential longer term cost and revenue implications of the proposed new policy directions are unknown at this time, and new initiatives requiring budget considerations would be subject to future Council approval. As an overall comment, it is considered appropriate, as a general principle, that the cost of new or enhanced financial incentives and other programs respecting natural heritage conservation and agricultural viability be addressed at a Regional level, as the benefits are felt far beyond area municipal boundaries.

### **LEGAL IMPLICATIONS**

The Region of Peel and Town of Caledon are required to bring their Official Plans into conformity with new Provincial planning legislation and policies in accordance with Section 26 of the *Planning Act*.

### **NEXT STEPS**

The final ROPA 21B will be brought forward for Regional Council's consideration in May 2010.

### **CALEDON COMMUNITY WORK PLAN**

Not applicable.

### **POLICIES/LEGISLATION**

The *Planning Act, 2006*;  
Region of Peel Official Plan;



The Provincial Policy Statement 2005; and,  
The Growth Plan for the Greater Golden Horseshoe and, *Places To Grow Act, 2005.*

### CONSULTATIONS

The Region has adopted a very collaborative approach to the PROPR process, involving area municipal staff in ongoing consultation through the Technical Advisory Committee and other municipal working groups. The Region has also extensively consulted with stakeholders, councils of the area municipalities, aboriginal groups and the general public throughout the process. In the context of ROPA 21B the Region has consulted specifically with the Peel Federation of Agriculture (PFA), at their request and as directed by Regional Council. These discussions have resulted in revisions to ROPA 21B which respond to the PFA's concerns and objectives to the extent practicable within the scope of the Regional Official Plan and the limits of Provincial Policy Conformity requirements.

### ATTACHMENTS

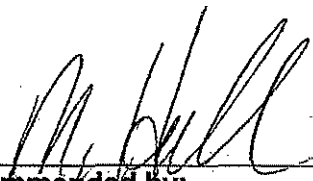
None

### CONCLUSION

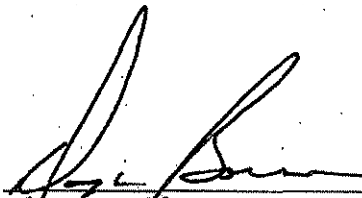
The final draft ROPA 21B policies related to the Natural Heritage and Agriculture Focus Areas of PROPR were developed in consultation with Peel Area municipalities including the Town of Caledon staff and Council, and stakeholders. This collaborative process has provided opportunities, to the highest degree possible, for Town staff to provide input that reflects Caledon's local context to be considered for incorporation in the final draft of the ROPA policies. As is outlined in this report, the Region has satisfactorily responded to the specific comments provided by Caledon through Report PD-2009-073, and the Region of Peel and the Peel Federation of Agriculture have engaged in extensive dialogue over the past year to resolve outstanding concerns with the Regional policies.



Prepared by:  
Todd Salter  
Manager of Policy



Recommended by:  
Mary Hall  
Director of Planning & Development



Approved by:  
Douglas Barnes  
Chief Administrative Officer