



Project No. 0273

December 1, 2004

Mr. Victor Doyle
Ministry of Municipal Affairs and Housing
777 Bay Street, 2nd floor
Toronto, Ontario M5G 2E5

Mr. Doyle,

Re: *Greenbelt Draft Plan, October 2004*

Further to our letter of November 11th on behalf of Dorzil Developments Ltd. ("Dorzil"), members of the Dunlap family ("Dunlap") and Minto Communities (Toronto) Inc., ("Minto") we are writing to draw to your attention to additional concerns of our clients with respect to the Draft Greenbelt Plan.

Upon review of the Draft Greenbelt Plan, Map 12, it has come to our attention that the limits of the Greenbelt may overlap a portion of our clients' lands, designated for residential development in Regional and East Gwillimbury Official Plans.

Our clients have over the past several years endeavored to prepare their lands for residential development and to obtain the necessary approvals. Substantial progress has already been made as the lands have been approved for residential development in both Regional and East Gwillimbury Official Plans. Such approvals include:

(1) **Region of York OPA 29**

To facilitate the implementation of OPA 110, the Region of York adopted Official Plan Amendment 29 ("OPA 29"). OPA 29 placed all lands within the Green Lane West Secondary Plan area ("Secondary Plan area"), except for the Environmental Protection Area, within the "Urban Area" designation of the Regional Official Plan. OPA 29 came into force in April 2001 (see Attachment 1).

(2) **Town of East Gwillimbury OPA 110**

Official Plan Amendment 110, of the Town of East Gwillimbury ("OPA 110") also came into force in April 2001 (see Attachment 2). OPA 110 designated the Green Lane



West lands as an expansion of the urban area and extension of the Secondary Plan area.

Further, OPA 110 established the pattern of development within Green Lane West by designating the lands, including our client's lands, as "Future Low-Medium Density Residential" and "Environmental Protection Area".

OPA 110, section 7.5(iii), provided that prior to redesignation of Environmental Protection Area lands, a municipality shall require detailed environmental evaluations on the impact of development on such lands.

Further, lands designed as Future Low-Medium Density Residential were not permitted to develop residentially until the "Future" component was removed from the land designation.

(3) **Town of East Gwillimbury OPA 123**

In July 2004, Official Plan Amendment No. 123 for the Town of East Gwillimbury ("OPA 123") was adopted and came into force on November 9th, 2004 (see Attachment 3).

OPA 123 changed the land use designation of the Green Lane West lands, from Future Low-Medium Residential to Low-Medium Density Residential, thereby removing the "Future" component of the designation and expanding the class of permitted uses to include residential development.

This amendment also specifically dealt with the boundary of the Environmental Protection Area and redesignation of lands within this Area.

As noted in Section 5 of OPA 123, a detailed study of the appropriate limits for the Environmental Protection Area was undertaken by owners of affected lands in accordance with the Official Plan policies and the new limit of development as set out in OPA 123 was considered satisfactory to the Lake Simcoe Region Conservation Authority, the Regional Municipality of York and the Town of East Gwillimbury.

Based on the Official Plan amendments outlined above, our clients submitted applications for draft plan approval and an amendment to the zoning by-law in February 2004. These



applications have been circulated and almost all comments have been received. The only significant outstanding issue is regional sanitary sewage allocation.

In our review of the boundaries of the proposed Greenbelt on our clients' lands, it would appear that they do not respect the limit of development established by OPA 123, the Environmental Protection Area which was established after a detailed study (Stantec Consulting Ltd.), on-site inspections (see Attachment 4) and the identification of clearly identified environment protection implementation measures.

Accordingly, we kindly request that the limit of the Greenbelt in respect of those lands be revised in all future Greenbelt mapping so that our client's lands which are approved for residential development in both the Regional and the East Gwillimbury Official Plans are excluded from the Greenbelt in accordance with the limit of development set out in OPA 123.

A copy of this letter has been sent to the Region of York so that they may include this correction in any report which they prepare for submission to the Province.

If you have any questions please do not hesitate to contact the undersigned.

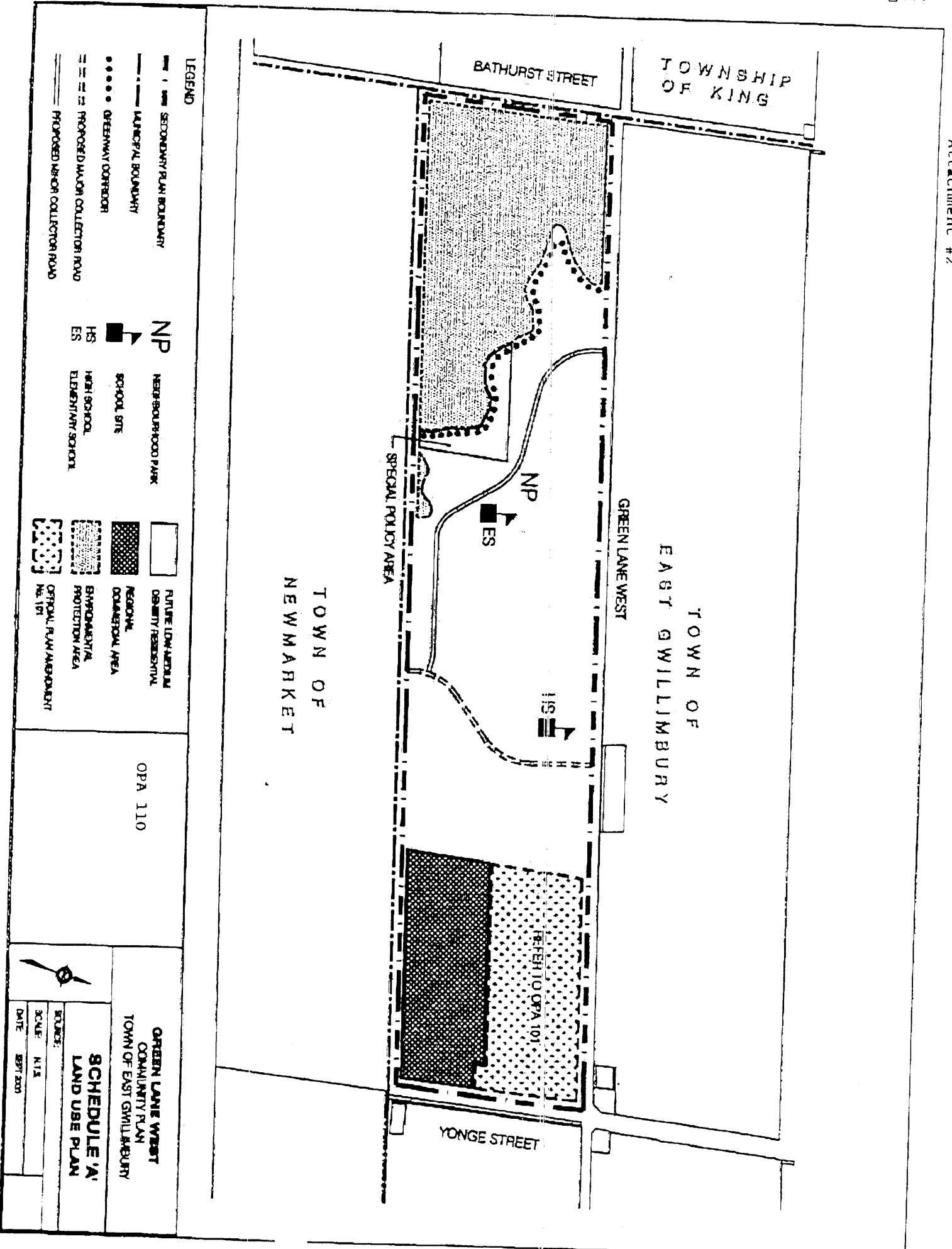
Yours very truly,

Bousfields Inc.

Lindsay Dale-Harris, MCIP, RPP,

LDH/km:jobs

cc: Clients
Davies Howe Partners
Neil Garbe - Region of York
Dan Stone - Town of East Gwillimbury





Town of East Gwillimbury

PLANNING DEPARTMENT REPORT P2004-53

To: Committee of the Whole Council

Date: July 12, 2004

Subject: Official Plan & Zoning By-law Amendment
and Plan of Subdivision Applications
Green Lane West Community Plan Area
"Harvest Hills"
by Dorzil Developments Limited
Minto Communities &
the Dunlap Family
Part of Lot 100, Concession 1, WYS
Town of East Gwillimbury
Files: OPA.03.02, ZBA.04.03 & 19T-04001

Origin: Planning Department

1.0 RECOMMENDATIONS

- 1.1 That Planning Department Report P2004-53 dated July 12, 2004, regarding the Official Plan & Zoning By-law Amendment, and Plan of Subdivision Applications by Minto Communities, Dorzil Developments Ltd. and the Dunlap Family, Part Lot 100, Concession 1, WYS [Files Nos. OPA.03.02, ZBA.04.03 & 19T-04001] be received and adopted.
- 1.2 That Committee of the Whole Council recommend that Council adopt Official Plan Amendment No. 123 for Minto Communities, Dorzil Developments Ltd. and the Dunlap Family, Part Lot 100, Concession 1, WYS [File No. OPA.03.02].

2.0 BACKGROUND

- 2.1 The subject lands are comprised of 3 separate properties which are located south of Green Lane West, west of Yonge Street and extend westerly to Bathurst Street. The general location of the subject properties is shown on the attached Appendices 1 and 2. The subject lands are located adjacent to the Northwest Newmarket Secondary Plan area to the south. Refer to Appendix 3 which shows the 3 subject properties and the plans of subdivision in the Northwest Newmarket Secondary Plan area. The following is a summary of details respecting the 3 subject properties:

be accommodated at a good level of service. The study also concludes that traffic signals will be justified at the Green Lane West /Collector Road (Street L) intersection, but likely not at the Green Lane West/Street B intersection.

(c) Environmental Impact Study

Stantec Consulting Ltd. prepared an Environmental Impact Study (February 2004) in support of these Applications. Staff from the Town, the Region of York and the Lake Simcoe Region Conservation Authority have walked the property on a few occasions with the consultant and the land owners in an effort to agree on the actual limit of the Environmental Protection Area. The following is a summary of Study recommendations and proposed implementation measures:

- (i) No development or construction will intrude into the Environmental Protection Area, with the exception of the outlet from the stormwater management facility.
- (ii) Implementation of a 10 metre wide greenway corridor as a setback
- (iii) Preparation and implementation of an erosion and sediment plan
- (iv) Implementation of a stormwater management plan

(d) Functional Servicing Report

The Applicants submitted a Functional Servicing Report, prepared by Schaeffers Consulting Engineers and dated February 2004, to provide a general overview of the proposed servicing plan. The following is a brief summary of the finding of this study:

- (i) The site will be serviced by two stormwater management facilities. One existing stormwater management facility is located east of Yonge Street (adjacent to the Metrus/Fetlar site) and will service a small, easterly portion of the development within the subject lands. The second stormwater management facility will service the majority of the subject lands and is located at the western development limit adjacent to the EPA/open space valley lands.
- (ii) The site will be serviced by the Region of York's sanitary sewer on Yonge Street discharging to the Holland River Pumping Station. An existing connection to the Region's sanitary sewer is provided adjacent the subject site across the Trinity commercial lands.
- (iii) The site is part of the Western Pressure District and will be serviced by two connections to the existing Western Pressure District watermain in conjunction with a watermain extension along Green Lane West.

Based on these findings there clearly is a need for the proposed use.

- (ii) **The extent to which the existing areas in the proposed categories are developed, and the nature and adequacy of such existing development**
The Growth Management Review also addresses the need for medium density units. It concludes that the 257 townhouses planned for the Green Lane West Community will help to balance the existing shortfall in the Town.
- (iii) **The physical suitability of the land for such proposed use**
Official Plan Amendment 110 determined that the residentially designated lands were suitable for that purpose and established the appropriate policy framework.

Subsection 7.5 iii) of O.P.A. 110 sets out the matters which must be considered in any application for the redesignation of lands in the *Environmental Protection Area (EPA)*. A detailed study of the appropriate limits for the EPA were undertaken by the owners in accordance with the Official Plan policies, and the new limit of development was satisfactory to the Lake Simcoe Region Conservation Authority, the Regional Municipality of York and the Town of East Gwillimbury.

- (iv) **The location of the areas under consideration with respect to:**
Adequacy of Roads/Accessibility

The community is easily accessible to the residents of the Town of East Gwillimbury and the Town of Newmarket being bounded on three sides by regional arterial roads: Green Lane West to the north, Yonge Street to the east and Bathurst Street to the west. The development of Green Lane West will also provide for the timely extension of Woodspring Avenue to Green Lane West, thus linking the new community to the Town of Newmarket to the south, and providing a collector road connection to Northwest Newmarket residents.

Adequacy of Services

Sanitary sewer capacity and water supply must be allocated to draft plans of subdivision prior to registration. Storm water management facilities will be provided in accordance with an approved Master Drainage Plan.

Compatibility with Surrounding Land Uses

Official Plan Amendment 110 addressed all issues with respect to land use compatibility. With the exception of the redefinition of the Environmental Protection Area boundary, this amendment merely provides for the development of the lands after the development of Northwest Newmarket is substantially completed, and there is a need for the additional units to meet demand in East Gwillimbury.

Municipal Financial Impact

It is anticipated that approval of this amendment will result in an increase in assessment as well as the payment of significant development charges, once plans of subdivision are registered within the amendment area.