



January 19, 2007

Office of the Regional Chair

The Honourable David Caplan
Minister of Public Infrastructure Renewal
4th Floor, 777 Bay Street
Toronto, ON M5G 2E5

Dear Minister Caplan:

Re: Comments on the Technical Paper on a Proposed Methodology for Developing a Built Boundary for the Greater Golden Horseshoe

Thank-you for the opportunity to provide feedback on the *Technical Paper on a Proposed Methodology for Developing a Built Boundary for the Greater Golden Horseshoe*.

In summary, York Region staff finds the approach and methodology used in developing the built boundary sound. The methodology allows for a consistent evaluation of the built-up areas across the GGH. Enclosed, please find a staff report outlining detailed regional comments on the methodology.

The proposed rules that finalize the built boundary, however, may pose some problems in implementation. Due to the detail, complexity and subjective nature of the proposed rules, it is impossible to determine the impact on some of the key growth areas in the Region. As such, the Region is able to endorse the methodology, in principle, at this time, with the understanding that further review and comment on the preliminary draft built boundary will be required.

The Region has completed a preliminary review of the built-up area maps that were provided and has identified areas to be further investigated and addressed in the final refinement of the built boundary:

- All Regional Centres should be included in the final built boundary
- All Parkway Belt West lands should be included in the final built boundary
- Cornell Centre should be included in the final built boundary
- High growth areas at the edge of the built-up areas will require a more detailed analysis.
- Donut Holes in the final built boundary should be avoided. In most cases these areas should be included in the final built boundary.
- Some of the more rural areas currently have inflated built-up areas that should be excluded from the final built boundary.

In addition to the above regional position, the area municipalities of East Gwillimbury, Georgina, Markham, Newmarket and Vaughan have forwarded comments that are attached, for your consideration. In preparation for the upcoming meetings with your staff, it is our intention to meet with each area municipality over the coming weeks. We expect to provide the Ministry with a set of comprehensive recommendations on the final delineation of the built boundary.

January 19, 2007

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Comments on the Technical Paper on a Proposed Methodology
for Developing a Built Boundary for the Greater Golden Horseshoe

We look forward to the opportunity of discussing these important growth issues with you and your staff. Should you or your staff have any questions in regard to our issues please call Bryan Tuckey, Commissioner of Planning 905-830-4444, ext 1500 or John Waller, Director of Long Range and Strategic Planning 905-895-4444, ext 1525.

Yours truly,

A handwritten signature in cursive script that reads "Bill Fisch".

Bill Fisch
Regional Chair and CEO

Clause No. 1 in Report No. 1 of the Planning and Economic Development Committee to be considered by the Council of The Regional Municipality of York at its meeting on January 25, 2007.

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TECHNICAL PAPER ON A PROPOSED METHODOLOGY FOR DEVELOPING A BUILT BOUNDARY FOR THE GREATER GOLDEN HORSESHOE

The Planning and Economic Development Committee recommends the following:

- 1. Staff be directed to consult with the Local Municipal Staff within the next week to obtain their input to this report.**
- 2. The Regional Chair send a copy of this report and a letter incorporating the comments of the Local Municipalities, to the Minister of Public Infrastructure Renewal by the January 19, 2007 deadline for comments.**
- 3. The recommendations contained in the following report, December 6, 2006, from the Commissioner of Planning and Development Services be adopted:**

1. RECOMMENDATIONS

It is recommended that:

1. This report be submitted to the province as York Region's feedback on the built boundary methodology.
2. Staff report back to Committee and Council when the final built boundary has been released and analyzed.

2. PURPOSE

The main purpose of this report is to advise Committee and Council of the key provisions of the *Technical Paper on a Proposed Methodology for Developing a Built Boundary for the Greater Golden Horseshoe (Built Boundary Technical Paper)*, released by PIR on November 27, 2006. Also, comments on preliminary mapping of the built-up area are provided.

3. BACKGROUND

On January 16, 2006, the Ministry of Public Infrastructure Renewal (PIR) released the Growth Plan for the Greater Golden Horseshoe. The Growth Plan includes policies which support the development of more compact, vibrant, transit-supportive communities.

One of the key policies of the Growth Plan is that “by the year 2015 and for each year thereafter, a minimum of 40 per cent of all residential development occurring annually within each upper- and single-tier municipality will be within the *built-up area*.”

The *built-up area* is defined as “all land within the built boundary”.

The *Built Boundary Technical Paper* establishes a methodology for developing a built boundary for the Greater Golden Horseshoe as well as preliminary mapping of built-up areas. The mapping does not depict the final built boundary, but rather a broad, grid-cell analysis of built-up areas. The standard methodology outlined in the technical paper provides a consistent approach to defining the built boundary for municipalities across the Greater Golden Horseshoe.

The final version of the built boundary will be a precise, fixed line used for the purposes of implementing and monitoring the intensification objectives of the Growth Plan.

This report summarizes the built boundary method established by the Ministry of Public Infrastructure Renewal, as well as comments on the preliminary mapping of the built up area.

PIR has requested comments from municipalities on the overall approach and, in particular, on the steps involved in the refinement of the built boundary by January 19, 2007.

4. ANALYSIS AND OPTIONS

4.1 Built Boundary Methodology

The methodology for the development of the built boundary consists of four main steps. PIR has completed the first three steps. Step 4 includes a draft set of rules for refining and smoothing the edge of the built up areas, to delineate a final built boundary that reflects as closely as possible the extent of the built-up area on the ground. Steps 1 through 3 are described below:

Step 1: Creation of a Parcel Land-Use Database

The data used to derive the built boundary have been obtained from the Ontario Parcel Alliance (OPA) and the Municipal Property Assessment Corporation (MPAC).

Tax Roll 2006 MPAC data is current to year end 2005, and OPA data is current to January 2006. These databases consistently report the location and number of residential units at the parcel level on an annual basis across the GGH. The OPA database provides the geospatial data required in order to map the parcel fabric in a Geographic Information System. The MPAC database provides the land-use and residential unit information required to determine the placement of the built boundary. The information from the two

databases has been incorporated into the Parcel Land-use Database used as the basis for the built boundary analysis. There are over 300 land-uses identified in MPAC. These land-uses have been summarized into six categories in the Parcel Land-use Database as outlined in *Attachment 1*.

Step 2: Selection of Settlement Areas for which a Built Boundary will be Developed

Settlement areas are those areas that are designated in a local official plan for development and urban uses (i.e. urban areas and towns and villages). All built-up areas that will be delineated by the built boundary will be within settlement areas. However, not all settlement areas will include built-up areas as some are quite small.

PIR determined that the built boundary would be developed for settlement areas over a size threshold of 400 residential units. Using the MPAC and OPA datasets, all settlement areas with 400 or more residential units were selected and mapped.

Step 3: Generation of Grid-cell Mapping for the Areas Identified in Step 2

In order to analyze the settlement areas, PIR developed a grid-cell matrix. The grid-cell matrix consists of 250 metre by 250 metre cells and was overlaid on the settlement area and parcel datasets in order to create a standardized and manageable dataset for further analysis.

For all grid cells within settlement areas, land-uses were classified as either built or unbuilt. Please see *Attachment 2* for the classification method.

Steps 1 to 3 describe the extent of the work completed by PIR on the built boundary to date. Overall steps 1 through 3 of the built boundary methodology outlined by PIR are sound.

Step 4: The Next Step in Built Boundary Methodology (Application of Refinement Rules)

The completion of Step 4 will result in the refinement of the built-up areas in order to create a built boundary that is precise, intuitive and identifiable on the ground. The following rules will be applied to the analysis in Step 4:

- Revert from grid-cells to parcels.
- Overlay detailed GIS datasets.
- Verify land-uses of parcels.
- Limit the built boundary to the settlement area boundary.
- Reassign certain unbuilt parcels adjacent to Provincial highways.
- Align the built boundary with recognizable features.
- Treatment of holes in the built-up area.
- Refine the built boundary further with local knowledge of other uses.
- Addition of new development prior to Growth Plan effective date.

Please see *Attachment 3* for a more detailed description of the refinement rules.

Clarity and simplicity should be key components in establishing the built boundary. The method should be simplified as much as possible in order to provide a clear and logical boundary.

4.2 Analysis of the Outcomes of the Methodology

Included in the appendices of the *Technical Paper* is mapping of the built up area, as determined by steps 1 through 3 of the methodology (see *Attachment 4*). Below are the comments by regional staff on the methodology.

4.2.1 Regional Centres

Portions of the southern three Regional Centres are not included in built up areas. They have not been included because they are not technically “built”. Staff have previously impressed upon the Province the need for the Urban Growth Centres to be included. The *Built Boundary Technical Paper* states that “all urban growth centres delineated pursuant to the Growth Plan would be included within the built boundary.”

4.2.2 Parkway Belt West Lands

The Parkway Belt West Lands have been largely excluded from the built up areas layer. This includes the Leitchcroft subdivision in Markham. Staff recommended that all Parkway Belt West lands should be included in the built boundary. The *Technical Paper* advises that “unbuilt parcels lying between the built parcel edge and the centre-line of a 400-series provincial highway will be reassigned as being built, if the distance between the nearest built parcel edge and the centre-line of the highway is less than 1km”. Regional staff will need to conduct a more thorough analysis of this rule in order to determine whether or not all Parkway Belt lands will be included in the built boundary.

4.2.3 Cornell Centre

The Cornell Centre Secondary Plan includes properties on both sides of Highway 7, between Reesor Road and Ninth Line, and is bound by Highway 407 to the south. Currently 8,750 units and 11,500 jobs are proposed for Cornell Centre. This entire area is not included in the built-up area. Regional and Markham staff recommend that Cornell Centre should be included in the Built Boundary.

4.2.4 Edge Issues

There are many areas in the Region where growth is occurring rapidly. In some instances, this has resulted in jagged, uneven built-area edges that could contribute to an awkward, discontinuous built boundary. Staff recommend that the final built area be largely contiguous and delineated by a clear boundary aligned with recognizable features. The *Technical Paper* allows that some significant development may have occurred prior to the adoption of the Growth Plan (June 16, 2006), and not been captured in the built up area analysis. Areas where edge issues are found include Stouffville; Berczy, Wismer,

Greensborough, Cornell and the Markham Road/Steeles Avenue area in Markham; and Blocks 10, 11, 12, 18 and 39 in Vaughan. The refinement stage of the built boundary methodology allows for the addition of areas that were built by June 16, 2006, as well as some smoothing of edges.

A technical analysis of the edge areas, in consultation with the area municipalities, will have to be completed to determine the exact boundary.

4.2.5 Donut Holes

Donut holes, or pockets of unbuilt grid-cells, surrounded by built-up areas are found throughout the Region. Staff recommend that most of these lands be included in the Built Boundary. The *Technical Paper* addresses donut holes by allowing for the inclusion of certain unbuilt land uses (such as public parks, natural heritage features where development is prohibited, and some servicing and transportation infrastructure) as well as groups of smaller unbuilt parcels (less than 62,500 sq.m.) regardless of land use in the final built up area.

4.2.6 Unbuilt Areas

In some cases, areas have been erroneously identified as built-up. Many of the Towns and Villages in the region may have inflated built up areas because all parcels with built structures, regardless of the size of the parcel, were captured as built-up. Some of these larger parcels may actually be of a more rural character. Regional staff, in consultation with the areas municipalities, will review these areas for accuracy.

4.3 Next Steps

The next steps for the review and final delineation of the built boundary include:

- In collaboration with area municipalities and PIR, refine the built-up areas and delineate the final built boundary. This work is expected to be completed during January and February of 2007.
- Integrate the final built boundary into the regional growth management forecasts.
- Continue to work with local municipalities on intensification strategies to achieve the 40% target.

4.4 Relationship to Vision 2026

The final built boundary will have direct impacts on the form, structure and density of new residential development in the long term. The impact on new development will in turn speak to many of the Vision 2026 goal areas, including Enhanced Environment, Heritage and Culture; Responding to the Needs of our Residents; Housing Choice for our Residents; Managed and Balanced Growth; and Infrastructure for a Growing Region.

5. FINANCIAL IMPLICATIONS

There are no immediate financial implications associated with the built boundary methodology proposed by PIR.

6. LOCAL MUNICIPAL IMPACT

Defining the built boundary is one component of the Region's comprehensive growth management exercise that also includes developing revised local municipal forecasts, a land budget exercise, an intensification strategy and updates to the Region's infrastructure master plans and a fiscal impact analysis. To date, regional staff have consulted extensively with local municipal staff throughout this process.

Intensification units will account for 40% of all growth units at the Regional scale from 2015 on. The final delineation of the built boundary will determine the total built-up area for each local municipality. This information will be used as input in the assignment of local municipal intensification targets. Regional staff will work closely with local municipal staff in the refinement of the built up areas.

7. CONCLUSION

Overall the built boundary methodology outlined by PIR is sound. The methodology allows for a consistent evaluation of the built-up areas across the GGH.

The province has completed and mapped the first three stages of the four stage methodology. The maps created do not depict the final built boundary, but rather a grid-cell analysis of the built-up area. There are some areas to be further investigated and addressed in the final, stage-four refinement of the built boundary:

- Parkway Belt West Lands
- Cornell Centre
- Edges of the boundary
- Donut Holes
- Some unbuilt areas that may have been erroneously captured.

In consultation with the areas municipalities, staff will continue to review the methodology and mapping.

Staff are currently working on the residential and employment growth forecasts to 2031. The final delineation of the built boundary will be incorporated into the forecast work in order to help determine the location of the 40% intensification growth target by local municipality.

For more information on this report, please contact Paul Bottomley, Manager Growth Management, Economy and Information Research, Long Range and Strategic Planning Branch at 905 830-4444 ext. 1530 or Paul.Bottomley@york.ca.

The Senior Management Group has reviewed this report.

(The attachments referred to in this clause are attached to this report.)

Summary Landuse Categories used in the Parcel Landuse Database

Summary land-use	Typical Examples
Built	Any residential, commercial, industrial and institutional use.
Unbuilt	Rural, forest, farm, or vacant uses.
Green space unavailable	Park, conservation area, etc.
Variable	Golf course, ski area, quarry, etc. that would be considered built-up when inside a settlement area and unbuilt when outside.
Not a parcel	The land was not identified as a parcel for assessment purposes in the MPAC database. This would include features such as roads, highways, etc.
Unknown	No match possible between an Ontario Parcel and any record on the MPAC files. Of the 2.4 million parcels used in this analysis, only 7,899 parcels, or 0.33 per cent of the total were unknown.

Ministry of Public Infrastructure Renewal, Fall 2006

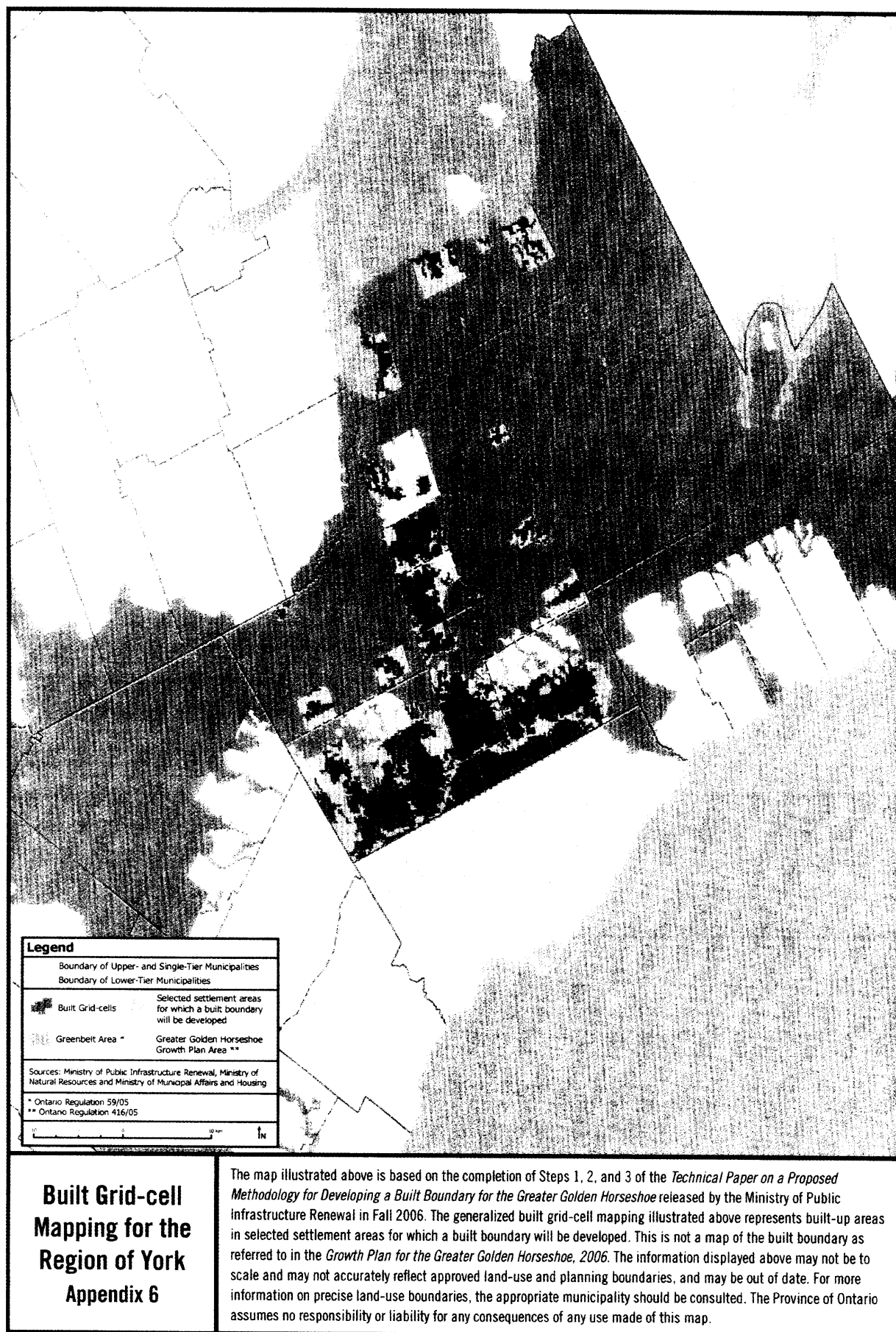
Parcel Landuse Database Summary Categories Reclassified as “Built” or “Unbuilt”

Summary land-use	Typical Examples	Final Category
Built	Any residential, commercial, industrial and institutional use.	Built
Unbuilt	Rural, forest, farm, or vacant uses.	Unbuilt
Green space unavailable	Park, conservation area, etc.	Built
Variable	Golf course, ski area, quarry, etc. that would be considered built-up when inside a settlement area and unbuilt when outside.	Built
Not a parcel	The land was not identified as a parcel for assessment purposes in the MPAC database. This would include features such as roads, highways, etc.	Built
Unknown	No match possible between an Ontario Parcel and any record on the MPAC files. Of the 2.4 million parcels used in this analysis, only 7,899 parcels, or 0.33 per cent of the total were unknown.	Unbuilt

Ministry of Public Infrastructure Renewal, Fall 2006

Step Four Refinement Rules

- **Revert from grid-cells to parcels.** Classify each parcel in the Parcel Land-use Database as “built” or “unbuilt” based on the classification of the grid-cell in which the parcels centroid (centre) falls.
- **Overlay detailed GIS datasets.** Additional GIS datasets will be overlaid in order to help visualize the proper placement of the boundary. Datasets to be overlaid include those displaying orthophotography, infrastructure features and natural features.
- **Verify land-uses of parcels.** Some of the parcels in the original MPAC dataset had multiple landuses. In these cases, as long as one of the landuses was a built use, the entire parcel was classified as built. These parcels will be re-evaluated for inclusion in the built category.
- **Limit the built boundary to the settlement area boundary.** All parcels that are not in settlement areas will be removed from the analysis.
- **Reassign certain unbuilt parcels adjacent to Provincial highways.** Unbuilt parcels lying between the built parcel edge and the centre-line of a 400-series provincial highway will be reassigned as being built, if the distance between the nearest built parcel edge and the centre-line of the highway is less than 1km.
- **Align the built boundary with recognizable features.** The built boundary will be aligned with recognizable features using the following hierarchy: roads, water features, parcels. The boundary will be aligned with parcels only when no roads or water features lie within 100m of the edge of the built parcels.
- **Treatment of holes in the built-up area.** Groups of unbuilt parcels that are less than 62,500 sq.m. (the size of one cell in the grid-cell matrix), and are surrounded on all sides by built parcels, may be included within the built boundary.
- **Refine the built boundary further with local knowledge of other uses.** Some land uses that are not clearly tracked my MPAC may qualify for inclusion in the built boundary. Examples of uses that should be included, but may not have been properly captured as “built” include permanent public parks, natural heritage features that are surrounded by built-up parcels, water and wastewater infrastructure and transportation infrastructure. Regional staff will be involved in this step. PIR have indicated that they intend to have two meetings with each Region to address this matter.
- **Addition of new development prior to Growth Plan effective data.** The analysis to this point has been based on year end 2005 MPAC data. The Growth Plan came into effect on June 16, 2006. Any development that occurred between the cut-off date of the dataset and the adoption of the Growth Plan will be added into the final database and potentially included in the built-up area.





INTERNAL MEMORANDUM

To: John Waller

c.c. Robin Skinner
Sarah Hardie

From: Dan Stone

Date: January 18, 2007

Subject: Preliminary Comments on the Proposed Built Boundary for the GGH and the Discussion Paper on the Methodology

Below are some of the preliminary comments of the Development and Legal Services department on the Technical Paper on a Proposed Methodology for Developing a Built Boundary for the Greater Golden Horseshoe (GGH). Staff will be reporting to Council in February regarding this matter.

1. Methodology and Built Boundary

The Town is of the opinion that there should not be any separation between commenting on the built boundary and commenting on the proposed methodology, since the proposed methodology will essentially determine the built boundary. Therefore, the commenting approach appears to be an ineffective and a more streamlined process should be established by the Region and PIR with input from local municipalities.

2. General

In reviewing the proposed methodology, staff recognize the complexity and technical challenges associated with the task at hand. Overall, the scientific approach to the methodology that PIR has developed is a good start; however, staff believe there are several other factors that need to be considered and included in the methodology.

Under Step 2, PIR has taken a position that a built boundary will be developed for all settlement areas over a threshold size of 400 residential units. In using this threshold, PIR has not included the Queensville community area or the future node centred around the GO Station at 2nd Concession Road and Green Lane, within the delineated built boundary. These two areas represent good opportunities for helping to achieve the 40% intensification targets outlined in the *Growth Plan* and should therefore, be included with the built boundary.

3. *Queensville*

Recognized in the Regional Official Plan as an *urban area*, the community of Queensville has been approved for fully serviced growth and is expected to develop into a community of 20,000 persons by the year 2021. The Queensville Community Plan (OPA 89) encourages a wide range of lot sizes and housing types, with densities up to 61 units per gross residential hectare permitted in designated *Medium Density Residential* areas. Queensville was not included within the proposed built boundary; even though it provides an excellent opportunity to create a *complete community* that has the potential to achieve density targets. Conversely, existing communities where services are not in place or planned should not be gathered in the built boundary exercise.

4. *Future Key Development Area*

The methodology should be revised to have consideration for transit and other piped infrastructure, particularly where there has been public investment in transit and infrastructure and an opportunity exists for higher density growth. The area surrounding the GO station located near the 2nd Concession Road and Green Lane intersection is situated along a Regional Corridor and serviced by existing piped infrastructure. An existing residential development has taken place within the Town of Newmarket at the southern edge of the area, which will be included within the built boundary. The GO station node should also be included within the built boundary as part of an edge treatment that will recognize the transit, road and sewer infrastructure and existing development to the south. This approach supports the Provincial Policy Statement (PPS) and the Growth Plan, by focusing growth in a transit-supportive area where the infrastructure exists to support future growth.

The inclusion of Queensville and the 2nd Concession/Green Lane node will help recognize urban growth centres, intensification corridors and major transit station areas as a key focus for development, in order to accommodate intensification.

5. *Region Comments*

Staff support the comments provided by regional staff on the methodology, in terms of smoothing edges along built-up areas and the issues surrounding “donut holes.” In particular, the edge issues are of specific interest to the Town as it relates to the Sharon and Holland Landing communities.

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. PB-2007-0003

**FOR CONSIDERATION OF
COUNCIL
JANUARY 15, 2007**

**SUBJECT: TECHNICAL PAPER ON A PROPOSED METHODOLOGY
FOR DEVELOPING A BUILT BOUNDARY FOR THE
GREATER GOLDEN HORSESHOE – FALL 2006
FILE NO.: 05.220**

1. RECOMMENDATION:

- A) THAT REPORT NO. PB-2007-0003 BE RECEIVED AS INFORMATION.**
- B) THAT COUNCIL REQUEST THE PROVINCE TO NOT DELINEATE A BUILT BOUNDARY FOR PEPPERLAW AND VIRGINIA IN VIEW OF THE FACT THAT BOTH OF THESE COMMUNITIES HAVE NO MUNICIPAL WATER AND SEWER SERVICES AND ARE PROJECTED TO HAVE A RELATIVELY SMALL AMOUNT OF GROWTH.**
- C) THAT COUNCIL REQUEST THE PROVINCE TO EXEMPT THE LANDS WITHIN SETTLEMENT AREAS THAT ARE DEVELOPED ON PRIVATE SERVICES FROM BEING SUBJECT TO THE DESIGNATED GREENFIELD AREA DENSITY TARGET OF 50 RESIDENTS AND JOBS PER HECTARE, AS THIS TARGET IS NOT ACHIEVABLE ON LANDS THAT DO NOT HAVE FULL MUNICIPAL SERVICING.**
- D) THAT THE CLERK FORWARD A COPY OF REPORT NO. PB-2007-0003 AND COUNCIL'S RESOLUTION THEREON TO THE DIRECTOR, GROWTH POLICY, PLANNING AND ANALYSIS OF THE MINISTRY OF PUBLIC INFRASTRUCTURE AND RENEWAL AND TO THE COMMISSIONER OF PLANNING AND DEVELOPMENT SERVICES OF THE REGIONAL MUNICIPALITY OF YORK.**

2. INTRODUCTION:

On June 16, 2006 the Government of Ontario released the *Growth Plan for the Greater Golden Horseshoe 2006* (Growth Plan). The Growth Plan was prepared

under the Places to Grow Act, 2005, as part of the Places to Grow: Better Choices, Brighter Future growth management initiative.

The Growth Plan supports the creation of more compact, mixed-use and transit supportive communities. It sets a policy framework for municipalities to plan for future growth, and direct a significant portion of projected residential and employment growth through intensification to built-up areas.

A key policy in the Growth Plan regarding intensification is the establishment of an intensification target, which states that by the year 2015 and for each year thereafter, a minimum of 40 percent of all residential development occurring annually within each upper and single tier municipality will be within the *built-up area* (Growth Plan Policy 2.2.3.1). The *built-up area* is defined as the area within the *built boundary*.

The Growth Plan defines the *built boundary* as “the limits of the developed urban area as defined by the Minister of Public Infrastructure Renewal (PIR) in accordance with Policy 2.2.3.5”. Policy 2.2.3.5 of the Growth Plan states the Minister, in consultation with affected municipalities will verify and delineate the built boundary.

On November 27, 2006 the Province released a *Technical Paper on a Proposed Methodology for Developing a Built Boundary for the Greater Golden Horseshoe* (Technical Paper or Paper), which is attached as Schedule ‘1’.

The Ministry of Public Infrastructure Renewal is seeking feedback by January 19, 2007 on the overall approach outlined in the Technical Paper and particularly on the steps to refine the built boundary. The purpose of this report is to provide staff’s comments on the Technical Paper.

3. SUMMARY OF TECHNICAL PAPER:

The Technical Paper provides a step-by-step explanation of the approach and methodology PIR has developed to define the built boundary for the GGH. According to the Province, the Technical Paper represents the first time a built boundary has been identified for all of the Greater Golden Horseshoe (GGH) using one methodology. Using data from the Ontario Parcel Alliance and the Municipal Property Assessment Corporation, PIR has derived course mapping that roughly defines built-up areas in the GGH. This course mapping of built-up areas is depicted in the Technical Paper. To finalize the boundary, PIR advises that it will continue to work with municipal partners and other stakeholders to establish a refined line. This final built boundary will be a precise, fixed line for the purposes of implementing and monitoring the intensification and density targets and policies of the Growth Plan.

4. REVIEW OF PROPOSED METHODOLOGY:

The methodology to delineate a built boundary for the GGH consists of four key steps. The following first three steps have been completed by PIR:

- Step 1 - compiling geospatial land use database;
- Step 2 - selecting settlement areas for which a built boundary will be developed; and
- Step 3 - analyzing the data sets to identify built-up areas at a generalized scale as illustrated in the maps in Appendix 6 of the Technical Paper.

In reviewing the proposed methodology, staff recognize the complexity and technical challenges associated with the task at hand. Overall, the methodology that PIR has come up with appears well conceived, however, staff believe there is one fundamental problem with the application of Step 2 as it pertains to Georgina, and perhaps elsewhere in the GGH.

Under Step 2, PIR has taken a position that a built boundary will be developed for all settlement areas over a threshold size of 400 residential units. In using this threshold, PIR has selected within the Town of Georgina, the settlement areas of Keswick, Sutton, Pepperlaw and Virginia for which a built boundary is to be delineated. The generalized built grid cell mapping for the above noted settlement areas, as well as the other selected settlement areas in York Region, is illustrated in Appendix 6 on page 68 of the Technical Paper.

While staff can understand the selection of Keswick and Sutton, we do not see the need to establish a built boundary for Pepperlaw and Virginia. On page 10 of the Paper, it states that “the Growth Plan aims to direct intensification to settlement areas that can accommodate and service new growth”. It further states that, “some settlement areas identified in local Official Plans are small, not fully serviced, and may not be appropriate as a focus for intensification”. As both Pepperlaw and Virginia do not have any municipal sewer and water services (and such services are not proposed within the Town’s long range Plan), these are settlement areas that cannot accommodate intensification or the Greenfield density target, as contemplated in the Growth Plan.

In Pepperlaw and Virginia, as well as in other smaller “unserved” communities, the density of new development will be relatively low regardless of where the built boundary is situated. This is not a function of planning, but rather is dictated by the fact that large land area requirements are needed to accommodate private sanitary sewage and water supply services (usually through a well and septic system on individual lots). Therefore, a built boundary for the purpose of measuring residential

“intensification” in communities like Pepperlaw and Virginia that do not have the space or servicing capabilities to accommodate same, is rather pointless. As such, staff recommend that the Province be requested to remove Pepperlaw and Virginia from the list of settlement areas for which a built boundary will be delineated. However, it is important to note that even if this is done, there is still a fundamental problem with how the Technical Paper and the Growth Plan define these and other municipally unserviced settlement areas and require them to be subject to the Greenfield density target.

On page 10 of the Technical Paper it states that “smaller settlement areas, for which a built boundary is not delineated will, by definition, be subject to the Growth Plan’s Designated Greenfield Area policies and target. The Growth Plan requires Designated Greenfield Areas to be planned to achieve a minimum density target that is not less than 50 residents and jobs combined per hectare. This density target is to be measured over the entire Designated Greenfield Area of each upper or single tier municipality (i.e. York Region). Clearly, all of the lands within settlement areas in Georgina, and elsewhere in York Region, that are to be developed on private services cannot possibly come close to achieving 50 persons and jobs combined per hectare. As a result, it is not reasonable or appropriate to include these unserviced areas within the land base that is used for the calculation of a density target that can only be achieved on full urban services.

As Council may recall, the above concern was previously raised in Report No. PB-2006-0002 in January 2006, which were staffs comments to Council on the Proposed Growth Plan. This concern, along with other comments contained in Resolution No. C-2006-0041, were subsequently forwarded to the Province. However, the Province did not make any changes to address this concern in the final Growth Plan. At this time, staff recommend that the Province once again be requested to reconsider its position on this matter. Specifically, the 50 persons and jobs combined Greenfield density target should only apply to lands within designated Greenfield areas that have, or are planned to have, full municipal water and sewer servicing.

5. REVIEW OF REFINEMENT RULES:

The end product of the first three steps of the PIR methodology is grid cell level mapping for each upper and single tier municipality in the GGH. This mapping is contained in Appendix 6 which starts on page 47 of the Technical Paper. The mapping for York Region is shown on page 68 of the Paper.

Due to the small size of the map, it is difficult to assess the built grid cells identified within the settlement areas in Georgina. Also, the maps are in colour and, thus, the black and white photo-copy versions in this report make it even more difficult to read the maps. Should Council wish to view a full colour version of the Technical Paper, it is available on the Places to Grow website at www.ontario.ca/placestogrow.

Attached as Schedule '2', is an enlarged copy of the grid cell mapping for Keswick Sutton, Pepperlaw and Virginia.

Step 4 of the methodology involves the application of a series of proposed refinement rules that are intended to refine the edges of the grid cells and delineate the built boundary. The result of Step 4 will be a precise, identifiable built boundary that is intuitive and can be identified on the ground by corresponding to and aligning with recognizable topographical features and parcel geography.

A summary of the proposed refinement rules is provided below:

Proposed Refinement Rules

1. Verify land uses of parcels that may be incorrectly classified as built.
2. Limit built boundary to settlement area boundary.
3. Fill in parcels within 1 km of 400 series highways where un-built parcels are sandwiched.
4. Align with roads and water features within 100 metres (plus or minus) of the parcel edge.
5. Align with parcel edges where no suitable roads or water features.
6. Fill in small holes (less than 6 ha) within built-up areas if suitable.
7. Identify and include permanent parks, natural heritage features, servicing and transportation infrastructure where surrounded by or adjacent to built-up area.
8. Include additional significant areas built-up prior to June 16, 2006 that were not identified with MPAC data.

Generally speaking, it appears the above refinement rules make sense, however, until we actually review the results of applying these rules in detail, we really won't know for sure. PIR has indicated that it has applied the proposed rules to a test run in select municipalities and met with these municipalities to check the accuracy of the test run. According to PIR staff, the refined line was found to be fairly accurate, however, local up-to-date knowledge resulted in multiple small corrections at the edges.

The process of applying the refinement rules is to be carried out by PIR in consultation with affected municipalities. It is imperative that local municipalities be extensively involved in every step of the way from this point forward. It seems like

this will be the case based on correspondence we received from the Region in late December 2006, which is attached as Schedule '3'.

In conclusion, staff intend to participate fully with the Region and the Province in the refinement process and will report back to Council on the results of this process as it unfolds over the next couple of months.

Prepared by:

Recommended by:

Harold W. Lenters, M.Sc.Pl., M.C.I.P., R.P.P.
Director of Planning & Building

Stan N. Armstrong, C.G.A.
Chief Administrative Officer

HWL/nc
Attach.

January 18, 2007

Ms. Tija Dirks
Director, Growth Policy, Planning and Analysis
Ministry of Public Infrastructure Renewal
Ontario Growth Secretariat
777 Bay Street, 4th Floor
Toronto, ON
M5G 2E5

Dear Ms. Dirks

Re: Town of Markham comments regarding the Technical Paper on a Proposed Methodology for Developing a Built Boundary for the Greater Golden Horseshoe

On December 8, 2006, the Town of Markham received the "Technical Paper on a Proposed Methodology for Developing a Built Boundary for the Greater Golden Horseshoe" (Technical Paper). The purpose of this letter is to respond to the request found on Page 26 of the Technical Paper for feedback and comment by January 19, 2007 on each of the following:

- the methodology used by PIR to date to generate the map of the built grid-cells (Steps 1 to 4.2 of the Technical Paper)
- the ability of the methodology to accurately and consistently represent built-up areas across the GGH; and,
- the proposed rules for refining the built boundary (Step 4.3 of the Technical Paper)

As requested by PIR, the Town of Markham will respond to the preliminary Settlement Area and Built Boundary, which were provided by PIR to the Town early in January 2007, through a separate letter and GIS files, to be provided to the Region of York for coordination of Regional comments.

It is our understanding that once the BB is established, the line will not be adjusted in the future to reflect new development. It is essential therefore that the line be established at this time at a clear and logical location providing, over the long term, the greatest opportunity to fulfill the Growth Plan's objectives.

Our comments in response to the Technical Paper are provided below.

Step 1 - Creation of the Parcel and Land-use Database

1. Markham Recommendation No. 1: An appropriate definition of what is "built" needs to be established at the outset

The Growth Plan defines the “built boundary” (BB) as “the limits of the developed urban area as defined by the Minister of Public Infrastructure Renewal”. The “built-up area” (BUA) is similarly defined as “all land within the built boundary”. The “designated greenfield area” (DGA) is defined as “the area within a settlement area (SA) that is not built-up area”.

An accurate distinction between the BUA and the DGA is essential to the appropriate application of the Growth Plan policies. In order to “accurately and consistently represent built-up areas across the GGH”, there is a need to clearly establish what “built” most appropriately means in the context of The Growth Plan.

The key issue for the Town of Markham is whether the “built boundary” established for the purposes of the Growth Plan should encompass only areas with buildings, or whether it should also include areas which have, or are already planned to have, significant “built” infrastructure that reflects a pattern of development already confirmed through a planning approval. In defining the built boundary, it is essential to consider the purpose of the boundary and the way it is to be used in interpreting and implementing the policies of the Growth Plan – not simply the availability of digital data. Markham’s recommendations in this regard are presented below.

2. Markham Recommendation No. 2: The “built boundary” should consistently include all areas within the “settlement area” which have significant existing public infrastructure on the ground (i.e. roads) and under the ground (i.e. sewers, water lines).

Our reasoning is as follows:

1. Public infrastructure is part of the “built” environment. This is consistent with PIR’s own mandate to “build” and “rebuild” public infrastructure such as sewers, water and roads (not just buildings).
2. In the Town of Markham, millions of dollars are spent each year on water, sewer, stormwater services and roads – significant components of the “built” environment that are in place before any buildings are constructed.
3. This infrastructure is established based upon prior development approvals and represents a commitment to approved plans (e.g. draft approved plans of subdivision, site plans) on the lands that are serviced. Prior to building infrastructure, the lands have been through a comprehensive approvals process, including secondary plans, subdivision approval, and adoption of zoning bylaws to permit urban development. Where such infrastructure is committed it is highly unlikely that the development pattern it serves will change.
4. Under the Growth Plan, municipalities are to develop and implement Official Plan policies for lands within the BB to intensify and optimize the use of existing infrastructure. There is no similar policy to promote and encourage intensification within DGAs. In order for a municipality to successfully implement policies to achieve the infrastructure optimization

goals of the Growth Plan, the BB logically needs to include major areas of existing infrastructure within the SA.

As a result of not having a clear definition of what “built” means, areas with significant existing public infrastructure have been inconsistently treated by the database. In steps 1.2 and 3.4, some existing and committed public infrastructure within the SA is identified as built [e.g. those with MPAC codes of 103 (municipal park), 130 (non-buildable land), 134 (land designated and zoned open space), 561 (Hydro One right-of-way), 590 (water treatment pumping), 597 (railway right of way), 742 (public transportation facility), or lands with “no parcel”]. However, many properties with these same, or similar uses, appear to have been identified as unbuilt [e.g., properties with no MPAC property code, existing municipally owned roads, parcels in public ownership for schools, parks, or other public infrastructure within recently registered plans of subdivision).

At the time of registration of a plan of subdivision, it is a requirement in the Town of Markham to have completed all servicing (water, sewer, stormwater infrastructure) as well as have base asphalt on all roads. In addition, at registration, all lands to be used for community infrastructure (e.g. schools, parks) as well as servicing infrastructure, are transferred to public ownership. Prior to registration, many lots are sold; at registration, building permits begin to be issued. To capture the lands which should be identified as containing public infrastructure, and therefore characterized as “built”, we recommend that the database be updated to include all plans of subdivision registered before June 16, 2006, and that all lands within these plans of subdivision be identified as “built”. Any additional lands that are acquired by public agencies for infrastructure, outside of the subdivision registration process, could be identified as “built” at step 4.3.

3. Markham Recommendation No. 3: The “built boundary” should consistently include all lots created by registered plan of subdivision or consent for urban uses.

The BB, by definition, is to include all lands in the developed urban area. Under the Provincial Policy Statement, “Development” is defined to include “the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act...” Therefore all new lots created by a planning approval within the SA, should be included in the BUA.

4. Markham Recommendation No. 4: The “built boundary” should consistently include all lands within the “settlement area” where proposed development is committed to the point that the municipality cannot implement the “designated greenfield area” policies of the Growth Plan. This would include all lands within settlement areas which are within either: a registered plan, a draft approved plan of subdivision, or

applications submitted for development approval prior to the effective date of the Growth Plan.

Our reasoning is as follows:

1. Under the Growth Plan, lands within the SA are either classified as DGA or BUA; there is no other classification. The DGA policies require new development to be “planned, designated, zoned and designed” to achieve a specific density and character, whereas lands within the BB are encouraged to intensify. The SA should be divided into BUA or DGA based upon the potential for development (reflecting the stage in the process of development approval) to best conform to the policies to be applied in each category.
2. The Transition Regulation under the Places to Grow Act, (O. Reg 324/06) specifically states that if an application was made prior to June 16, 2006, for a zoning bylaw amendment, site plan approval, minor variance, plan of subdivision, or consent, that matter “shall be continued and disposed of as if the Plan had not come into effect”. Therefore, where a development application (other than one requiring an official plan amendment) was made before June 16 2006 within the SA, the proposed new development (e.g. plan of subdivision) is not required to be zoned and designed in accordance with the DGA policies of the Growth Plan. Given that these areas cannot be made to comply with the DGA policies, these areas are most appropriately placed in the BUA, with the hope that, municipalities can develop policies for these areas to encourage future intensification in addressing with the BUA policies of Growth Plan.
3. The best a municipality can do to meet the objectives of the Growth Plan in areas where prior development approvals exist, or where an application has been made prior to June 16 2006 in accordance with OP policy, is to encourage intensification. By not including these lands within the Built Boundary, the ability of the municipality to promote intensification, linked to the policies of the Growth Plan, is unnecessarily restricted.
4. Lands which have been through a comprehensive secondary planning process, zoned for urban use, and/or subject to a subdivision approval have been subject to a significant public process and commitment by the municipality and the developer
5. Including these areas within the built boundary helps to round out, rather than divide, and “complete” Markham’s planned communities and by doing so helps to create more logical, intuitive, continuous and clear built boundaries along well defined features, such as roads.

Identification of areas where development has been approved, or is subject to an application, is difficult without an up-to-date database of registered plans, draft approved plans, and areas with applications for development. However, it is no more difficult than trying to determine which properties actually have an existing building (or one under construction) as of a certain date. It may be that much of the land in Markham which is already approved for development could have been identified by the database as “built” by using

property codes such as 100 (Vacant Residential land not on water) and 125 (residential development land); It is our understanding that once a property is draft approved for a residential plan of subdivision, MPAC changes the property code from a "200" (farm property) code to a "100" (residential) code. Any additional properties which were subject to an application as of June 16 2006 could be identified at step 4.3.

5. *Markham Recommendation No. 5: The parcel and land use data should be updated to June 16 2006.*

To a large extent, the accuracy (or inaccuracy) of the outcome of this exercise is directly related to the accuracy of the primary databases relied upon by PIR: the MPAC 2006 Tax Roll "current to the end of 2005", and Ontario Parcel Alliance parcel geography dated "January 2006". We do not subscribe to the OPA parcel geography, however, the MPAC 2006 property data seems to include the registered plan parcel geography up to the end of October 2005. It is our experience that MPAC land use data, however, is typically 6 or more months out of date at the time it is provided to the municipality in December each year.

For the purposes of determining land use and property fabric as of June 16, 2006, the effective date of the Growth Plan, the MPAC land use data is likely 12 months out of date. This is significant, especially in an area of rapid growth such as Markham, where we experience growth of at least 3000 new residential units per year. There could be thousands of parcels which are not accurately represented in the database.

We also caution that the MPAC database is not reliable for tracking the number of new residential units annually (as proposed on pages 7 & 11 of the technical paper) as this information is out of date.

Step 2.1 - Identifying the Settlement Area

6. *Markham Recommendation No. 6: The Settlement Area Boundaries should be updated to reflect current approved official plans as of the effective date of the Growth Plan*

SAs are defined in the Growth Plan as:

"urban areas and rural settlement areas within municipalities (such as cities, towns, villages, and hamlets) where: development is concentrated and which have a mix of land uses; and lands have been designated in an official plan for development over the long term..."

The Technical Paper indicates that the Ministries of PIR and MAH used official plans current to early 2005 to define the SA boundaries. The process should have used municipal official plan data current to the effective date of the Plan – June 16, 2006. The SA boundaries in Markham should include:

- the area within Markham's five HAMLET designations (Victoria Square, Cedar Grove, Locust Hill, Almira, Dickson Hill); and,
- the Highway 404 North Planning District.

In addition, a portion of Markham's RURAL RESIDENTIAL designation seems to be in the proposed SA, but the abutting area between Woodbine Avenue and Warden Avenue on the north side of Major Mackenzie Drive is not. (A copy of Schedule A to the OP is attached for information). For the purpose of determining the BB, these two areas should both be treated equally, as part of the SA.

7. Markham Recommendation No. 7: The Technical Paper needs to clarify that lands within the Greenbelt Plan can be included within the "built-up area" of the Growth Plan, where the inclusion of the lands within the SA predates the Greenbelt Plan.

There are several locations in Markham where the boundary of the Greenbelt Plan overlaps areas designated for development within the Town's Official Plan. These include portions of the RURAL RESIDENTIAL designation on the north side of Major Mackenzie Drive East, the northeast portion of Markham's Greensborough community, as well as portions of Almira and Dickson Hill.

Step 2.2 - Establishing a threshold size for which a built boundary will/will not be developed

8. Markham Recommendation No. 8: The Hamlets and Rural Residential areas would most appropriately be identified as Built up Area, not Designated Greenfield Area

PIR has proposed in the Technical Paper, to eliminate smaller settlements of fewer than 1000 persons from the establishment of a BB because these areas are:

"small, not fully serviced, and may not be appropriate as a focus for intensification. A built boundary is to be delineated only for those settlement areas where it is appropriate to apply the Growth Plan intensification target...Smaller settlement areas, for which a built boundary is not delineated will, by definition, be subject to the Growth Plan's designated greenfield area policies and target"

It is our understanding that if the Hamlets are not within the BUA, then they must be in the DGA. Under the Growth Plan, lands within the DGA of York Region are to be planned to achieve a minimum "density target" that is not less than 50 residents and jobs combined per ha over the Region. Whereas in the outer ring municipalities the Growth Plan allows for the establishment of lower targets appropriate to the "character" of the area, in the inner ring (which includes Markham), there are no similar policies to protect the "character" of an area. Calling built Hamlets DGA is extremely misleading, because these areas are not suitable for greenfield development; some may

only be suitable for minor infilling. If lands within hamlet areas or rural residential areas are to be identified as DGA rather than BUA, how can the municipality protect their character?

The alternative is for the hamlets and similar areas to be identified as BUA. In our opinion, this is more appropriate, both as a description of their status and in terms of Growth Plan policies. The Technical Paper is correct that through the conformity exercise, the municipality may find that the Hamlet areas are not appropriate areas to apply the intensification target. However, the municipality may also find other areas within the BUA which do not have full servicing, or have insufficient soft services and for these, or other, reasons are not appropriate for intensification.

Municipalities are given the authority under S2.2.3.6c of the Growth Plan to identify, within the BUA, which areas are to be “intensification areas”. If the municipality provides sufficient opportunity to achieve the intensification targets of the Growth Plan within identified areas of the BUA, it is appropriate that the municipality will also have the authority to identify areas within the BUA which are not appropriate for intensification or where intensification would be clearly specified subject to criteria. We are requesting PIR to confirm that locations within the BUA can be subject to specific intensification policies relating to appropriate infill and redevelopment.

Steps 3 & 4.1 – Generating Grid-Cell Mapping and reverting back to parcels

Provided that the data used in these steps is modified to address the issues identified above, at a regional scale, these steps appear to be sound. We note that utilizing the parcel fabric, without the grid cells, may have more efficiently identified an appropriate draft BB based on recognizable features such as property parcels, and roads, rather than developing a grid network and then removing it.

Step 4.2 - Overlay of detailed GIS datasets to assist in refinement of built boundary

9. Markham Recommendation No. 9: During the subsequent consultation between PIR and the municipalities regarding the detailed delineation of the “built boundary” (Step 4.3), PIR should provide all datasets to the municipality.

We note that of the 6 datasets used in this process, the Town does not have access to:

- The OPA dataset
- The Ontario Road Network
- Statistics Canada Hydrological Layer

Unless these layers are made available to the Town, we will have to substitute similar data available to the Town at the time of refining the built

boundary. This may not permit the Town to fully understand the PIR methodology.

Step 4.3 - Refinement Rules for the Built Boundary

PIR establishes eight rules under Step 4.3 to be followed in sequence to refine and delineate a built boundary line which is “intuitive” and aligned to recognizable features such as property parcels, roads, water features, and may include or exclude some built or unbuilt parcels to “define a smooth, contiguous and intuitive line”.

10. Markham Recommendation No. 10: In order to achieve the intent of the Growth Plan, we recommend that the eight rules proposed in the Technical Paper to refine the built boundary be:

- a. reordered as outlined below,***
- b. modified as set out in Recommendations No. 11 to 13, 15 and 16, and***
- c. supplemented by an additional rule as set out in Recommendation No. 14 below.***

Rule (i) (Formerly Rule 4.3 (ii)) Limit the BB to the SA

We agree. The SA boundary, however, should be updated as outlined in Recommendation No. 6. above (to be further detailed in our subsequent letter to the Region of York.)

Rule (ii) (Formerly Rule 4.3(i)) Verify land uses of parcels

This step states that “built parcels... which are known through more detailed local knowledge or data to be unbuilt, may be verified and reassigned as unbuilt”.

11. Markham Recommendation No. 11: We recommend that this rule also include the converse situation: unbuilt parcels, which are known through more detailed local knowledge or data to be built, may be verified and reassigned as built.

Note: in order to apply this step, an agreed-upon definition of “built” is required, as discussed in the recommendations above.

Rule (iii) (Formerly Rule 4.3(vii)) Refine the BB further with local knowledge of other uses

This step suggests that land used for soft and hard infrastructure be identified as “built” if it is “adjacent to or surrounded by built-up parcels”. The uses to be included within the BB as a result of this rule are listed as:

- a. Permanent municipal, provincial and federal parks.

- b. Natural heritage features and areas where development is prohibited and which are completely surrounded by built-up parcels.
- c. Servicing infrastructure such as water and sewage treatment plants, landfills, water towers, etc.
- d. Transportation infrastructure such as highways, canals, airports, rail yards, docks, etc.

Minor proposed modifications to this list of uses, to include other areas where development is prohibited, or where other public infrastructure is proposed, are listed below. In addition, linear natural features, by their nature, are unlikely to be completely surrounded by built-up parcels, and such lands will not be developed whether surrounded by built-up parcels or not.

12. Markham Recommendation No. 12: We recommend minor modifications to the list in Rule 4.3.(vii), as follows:

- a. include conservation authority lands and school sites;**
- b. delete the requirement that natural features be surrounded by built-up parcels ;**
- c. include underground sewer and water servicing infrastructure as well as stormwater infrastructure;**
- d. clarify to include all municipal roads; and,**
- e. include all lands in the Parkway Belt West Plan.**

Rule (iv) (Formerly Rule 4.3 (viii)) Addition of new development prior to Growth Plan effective date

This step states that “significant development that may have been built up prior to June 16, 2006, and that is not captured in the MPAC Tax Roll 2006 may be included, if surrounded by or adjacent to built-up parcels”. We agree, however, this step should NOT be the last step, but should be undertaken earlier in the process, possibly as part of step (ii). As discussed in recommendation 5 above, this step should include, within the built boundary, all lands with development applications received prior to June 16 2006, which, in accordance with O Reg 324/06, are not be subject to the DGA policies of the Growth Plan.

Rule (v) (Formerly Rule 4.3 (iii)) Reassign certain unbuilt parcels adjacent to Provincial highways as built.

This step states that:

“Unbuilt parcels lying between the built parcel edge and the centre-line of a 400-series provincial highway will be reassigned as being built, if the distance between the nearest built parcel edge and the centreline of the highway is less than 1km.”

We found this rule difficult to understand and therefore difficult to apply. We have the following questions:

- a. What is the purpose and intent of this policy?
- b. How is it to be applied: What if the lands are slightly more than 1 km from the highway (for example, within 1km of the highway right-of-way, but not the highway centre-line)? What if the nearest “built” parcel is a road? What if there are built parcels between the unbuilt parcel and the highway? If the individual parcel extends further than 1km back from the centreline of the highway, is the whole parcel therefore to be identified as “unbuilt”, and if so, does that achieve the intent of the policy?

13. Markham Recommendation No. 13: Subject to receiving answers to our questions regarding the intent and application of this policy, it is our preliminary opinion that all lands within 1km+/- of a 400 series highway should be included within the built boundary.

Rule (vi) (New Rule)

Under the Growth Plan, “urban growth centres,” intensification corridors” and “major transit station areas” are to be the key focus for accommodating “intensification” within the BUA. By 2015, the BUA is to accommodate a minimum of 40 percent of all residential development occurring annually within the Region.

Page 17 of the Technical Paper acknowledges that all “urban growth centres” will be included within the BB, therefore the methodology in Step 4.3 should include this rule.

In order to achieve the intensification goals of the Growth Plan those areas which are to be intensification corridors, and major transit station areas should also be within the BUA. The Growth Plan identifies several higher order transit corridors in Markham, including the Hwy 7/407 corridor, the Yonge Street corridor, a portion of the Hwy 48 corridor, and three rail corridors. In addition, the Region of York Official Plan in effect as of June 16, 2006, identifies Warden Avenue as a Regional Rapid Transit Corridor. The rules for defining the BB should include a new rule which incorporates all urban growth centres, as well as all lands within an area of approximately 500m from a planned transit station or higher order transit corridor. This would include Markham Centre, Cornell Centre and all lands along an identified higher order transit corridor.

14. Markham Recommendation No. 14: That a new rule be added to reassign unbuilt parcels as built if they are within intensification areas identified in approved municipal Official Plans as of the effective date of the Growth Plan.

Rule (vii) (Formerly Rules 4.3 (iv) and 4.3.(v)) Align the built boundary with roads and water features; and then align the built boundary with parcel edges if no appropriate roads or water features are present.

These rules state that:

“the built boundary will align with the centre lines of roads in the Ontario Road Network dataset or with the edges of water bodies in the Statistics Canada Hydrographic Layer if such roads or water features lie within 100m on either side of the edge of the outermost built-up parcel. The feature (road or water) closest to the edge will take priority...If no roads or water features lie within 100m of the edge of the built parcels, the built boundary will be aligned with the edge of the outermost built-up parcel.”

We found the wording of this rule very unclear and therefore very difficult to understand and apply. If it means that developed parcels may be excluded from the built up area if the lot depth is less than 100m, then we do not support this. Further discussion with PIR is required.

15. Markham Recommendation No. 15: Subject to further discussion with PIR to address our questions, we do not support removing developed parcels from the built up area, especially residential lots on registered plans of subdivision, which are unlikely to be redeveloped.

Rule (viii) (Formerly Rule 4.3 (vi)) Treatment of holes in the built-up area

This rule states that “in order to create a largely contiguous built-up area, groups of unbuilt parcels that are less than (6.25 ha)... and are surrounded on all sides by built parcels, may be included within the built boundary”. This may leave small orphaned sites at the edges of the SA, which is not appropriate, as these may be more productively identified for infill. The Province should also consider increasing the size of the holes which may be considered built-up, especially if the holes contain parcels which are, in part, undevelopable, such as hazard lands.

16. Markham Recommendation No. 16: We recommend that this rule be amended to allow an unbuilt area that is surrounded on all sides by either built parcels or the boundary of the “settlement area” may be included within the built boundary.

In summary, the Town has two main comments on the proposed rules for refining the BB. Firstly, the BUA should include all lands which are excluded from the application of the DGA policies of the Growth plan, pursuant to the Transition Regulation 324/06. By including registered plans, draft approved plans, and development applications received prior to the effective date of the Growth plan, the municipality will be able to more effectively implement the intensification policies which apply to lands within the BUA. Secondly, the BUA must also include all Urban Growth Centres, as well as lands within approximately 500m of a designated higher order transit corridor such as Highway 7.

We trust that our comments are helpful in finalizing the methodology for developing an appropriate built boundary for the Greater Golden Horseshoe, and

look forward to further discussions with PIR staff regarding the questions we have raised.

For your further information, we also note that Council resolved on January 31, 2006 (attached):

“ that Council request the Province (through the Minister of Public Infrastructure Renewal) and the Region of York (through the Regional Commissioner of Planning) to make a specific commitment to consult with Markham staff at the technical review stage of the implementation analysis to ensure that ...the “built boundary” accurately reflects all committed development and includes all lands within the OPA No. 5 districts and along the Highway 7 regional transit corridor”.

The effect of this would be to include all of Markham’s designated SA within the BUA. We ask for an opportunity to further discuss this with you.

If you have any questions regarding our comments, please do not hesitate to contact either Tim Lambe, x 2910, or Laurie Wheeler X2007.

Sincerely,

Valerie Shuttleworth M.C.I.P., R.P.P.
Director of Planning and Urban Design

c.c. John Waller, Region of York

Attachments:

1. Markham OP – Schedule A
2. Council resolution, January 31, 2006



TOWN OF NEWMARKET

Legal and Development Services

Planning Division

905-953-5321

planning@newmarket.ca

January 17, 2007

Attention: Mr. John Waller, M.C.I.P., R.P.P., Director, Long Range and Strategic Planning

Regional Municipality of York
17250 Yonge Street
Newmarket, Ontario
L3Y 6Z1

Re: Built Boundary Methodology Consultation

The following represents The Town of Newmarket's comments on the Ministry of Public Infrastructure Renewal's Technical Paper on a Proposed Methodology for Developing a Built Boundary for the Greater Golden Horseshoe.

Our review has identified an apparent incongruity between the Technical Paper and the Provincial Growth Plan (Places To Grow). Newmarket's Oak Ridges Moraine area east of Bathurst St is largely outside of the municipality's settlement area, yet is shown in Appendix 6 of the Technical Paper to be within the settlement area. Conversely, Schedule 4 in Places to Grow shows the Oak Ridges Moraine area within Newmarket as part of the Greenbelt Area as opposed to a Designated Greenfield Area. In this regard, it is Newmarket's strong intention to keep the undeveloped portions of the Oak Ridges Moraine outside of the municipal urban boundary. Through the Oak Ridges Moraine conformity exercise the Town of Newmarket requested that the Regional Official Plan be brought into alignment with the local official plan with regards to settlement areas/urban boundaries in the Oak Ridges Moraine, however largely due to timing for Provincial approval for Regional Official Plan Amendment #41, the Region was unable to incorporate this request. As a result the Regional Official Plan and Town of Newmarket Official Plan have conflicting policies for development, notwithstanding that they have both received Provincial approval. We again note that it is the Town's intention to ensure that the undeveloped portions of the Oak Ridges Moraine within our municipal boundaries are not considered part of the urban boundary. Accordingly, we welcome a discussion with the Region in the near future regarding the refinement of the settlement area/urban boundary within the southwest quadrant of Newmarket.

Given Newmarket's geographic location within the Region and the impacts (e.g. traffic infiltration and traffic congestion) associated with development on and around our borders, we also have an interest in ensuring consistency between the Technical Paper and Places to Grow for areas beyond our borders. In this regard, we note that East Gwillimbury has different portions designated as settlement/greenfield area versus Rural Area between Schedule 4 in Places to Grow and Appendix 6

Newmarket's vision: A community well beyond the ordinary

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in the Technical Paper, as shown attached. As 40% of new development is to occur within the built boundary within the upper tier municipality, what are the implications of the built boundary for the lower-tier municipalities of Newmarket and East Gwillimbury? Will a lack of built boundaries in East Gwillimbury in effect mean that East Gwillimbury will not have intensification requirements while Newmarket implements intensification for northern York? Will demand and the approval for low rise development shift from Newmarket to East Gwillimbury? What do the designations in Appendix 6 of the Technical Paper permit East Gwillimbury to do so that Newmarket can get a sense of possible implications such as traffic, servicing, intensification requirements?

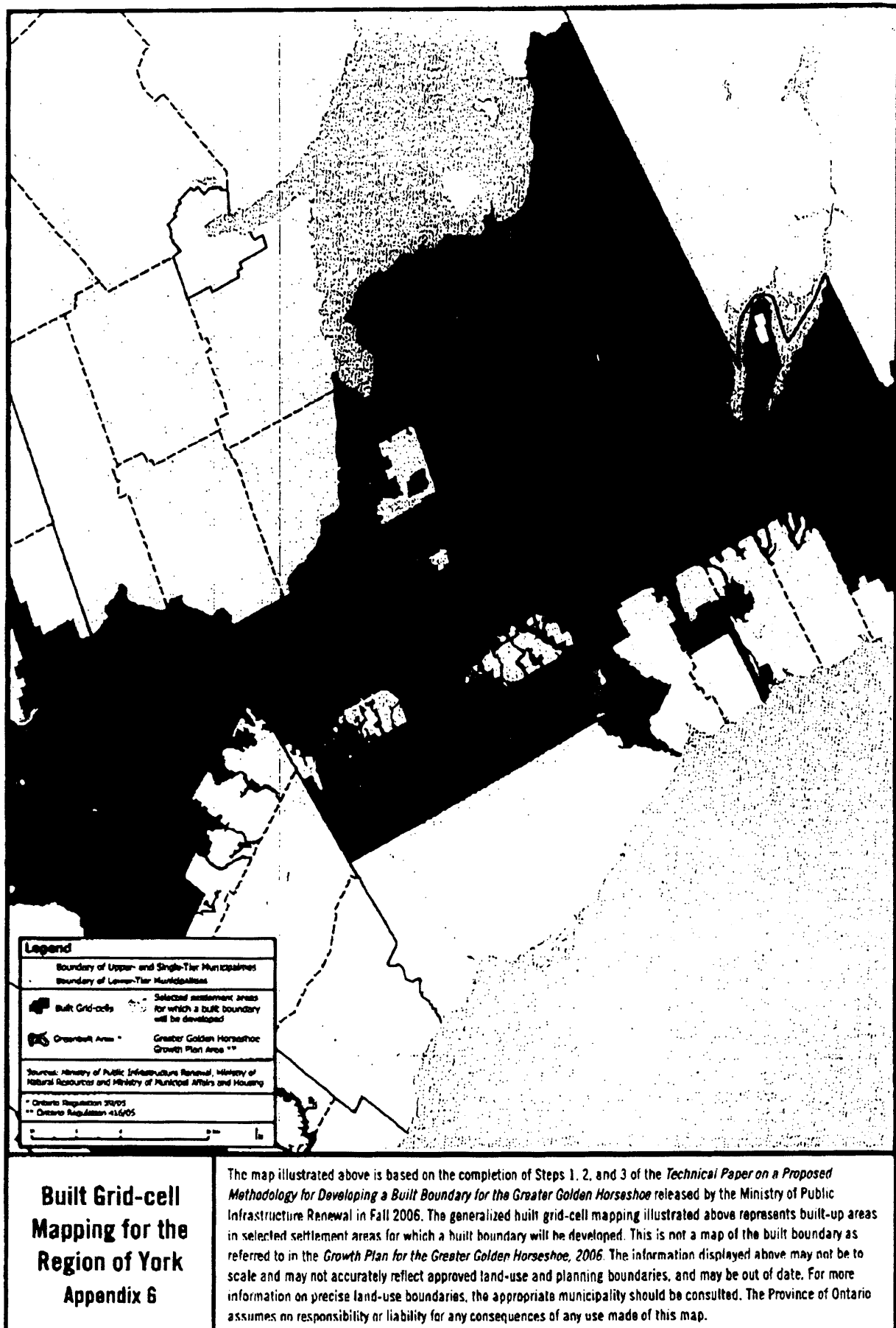
We also offer the following comments on the Technical Paper as it relates to the methodology used to define the built boundary.

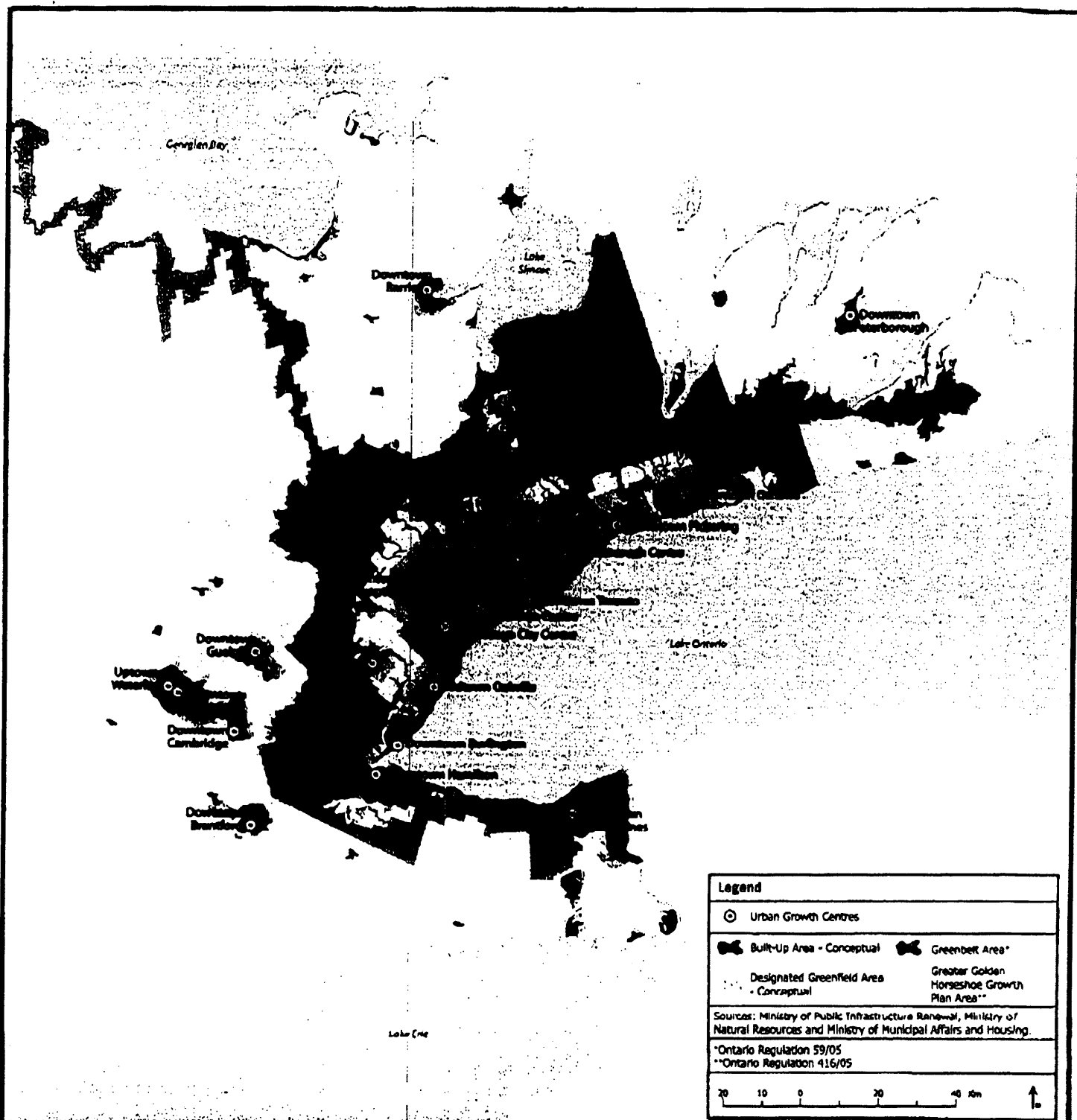
- Step 2.1: Appendix 6 has not correctly incorporated the settlement area dataset for Newmarket.
- Step 2.2(i): It is unclear what the polygons represent. Without a maximum size threshold (i.e. density) a polygon can be created to any size in order to capture 400 residential units. This step seems to imply that the threshold would be 400 contiguous parcels with residential units. Further clarification on this step is required. Further, Figure 4 may not be the best example of this step as it shows a patch of settlement area (red polygon) surrounded by Rural Area and isolated (outside) from the remaining settlement area (pink polygon with dashed border). Would a settlement area in its entirety nominally be contiguous?
- Step 3.2: Cells are assigned a land use based on the highest percentage of land area within the cell, being an area of 6.25 ha. While this may be the optimal size to work within for the Greater Golden Horseshoe area, such a procedure can oversimplify land uses, and hence be inaccurate for a geographically small municipality such as Newmarket. Has the Province encountered an evenly distributed percentage of land uses within a cell?
- Step 3.3: Grid cells and corresponding land uses are qualified as belonging to a settlement area if 50% of a cell's area lies within the settlement area boundary. Because of the cell size, this rule may have the effect of altering the settlement area boundary, which may have originally had a sound rationale for its definition at the local level and larger scale than the 6.25 ha utilized. Newmarket needs to see the effect of this method at the local level to determine the appropriateness of this step within the built boundary method.
- Step 3.5: There appears to be an inconsistency on the size for future development to meaningfully support the Growth Plan between steps 3.5 (ii) and 3.5 (iii). Further explanation is required on why up to 8 cells are used for "unbuilt" consolidation but only up to 6 cells are used for "built" consolidation. This step states that fewer than 8 grid cells (50 ha) are considered too small to meaningfully contribute to intensification and hence are consolidated as unbuilt. Further, we note that the technical paper also states that groupings of less than 6 contiguous unbuilt grid-cells (37.5 ha) surrounded by built grid-cells would be supportive of the Growth Plan's intensification objectives and hence would be consolidated as built. This step then appears to be contradictory. Some rationale or direction from the Growth Plan on the use of 50 ha or 37.5 ha to be used as appropriate criteria would be beneficial.

As a final note, the Regional Report regarding the Technical Paper notes that the Region will consult with the local municipalities on this matter. Newmarket prefers to collaborate with the Region on the development of the built boundary, as opposed to just being consulted with. Accordingly, we look forward to the opportunity to discuss our comments and questions further with the Region at our meeting scheduled for February 5, 2007.



R. Nethery, B.E.S, M.C.I.P., R.P.P.
Director of Planning

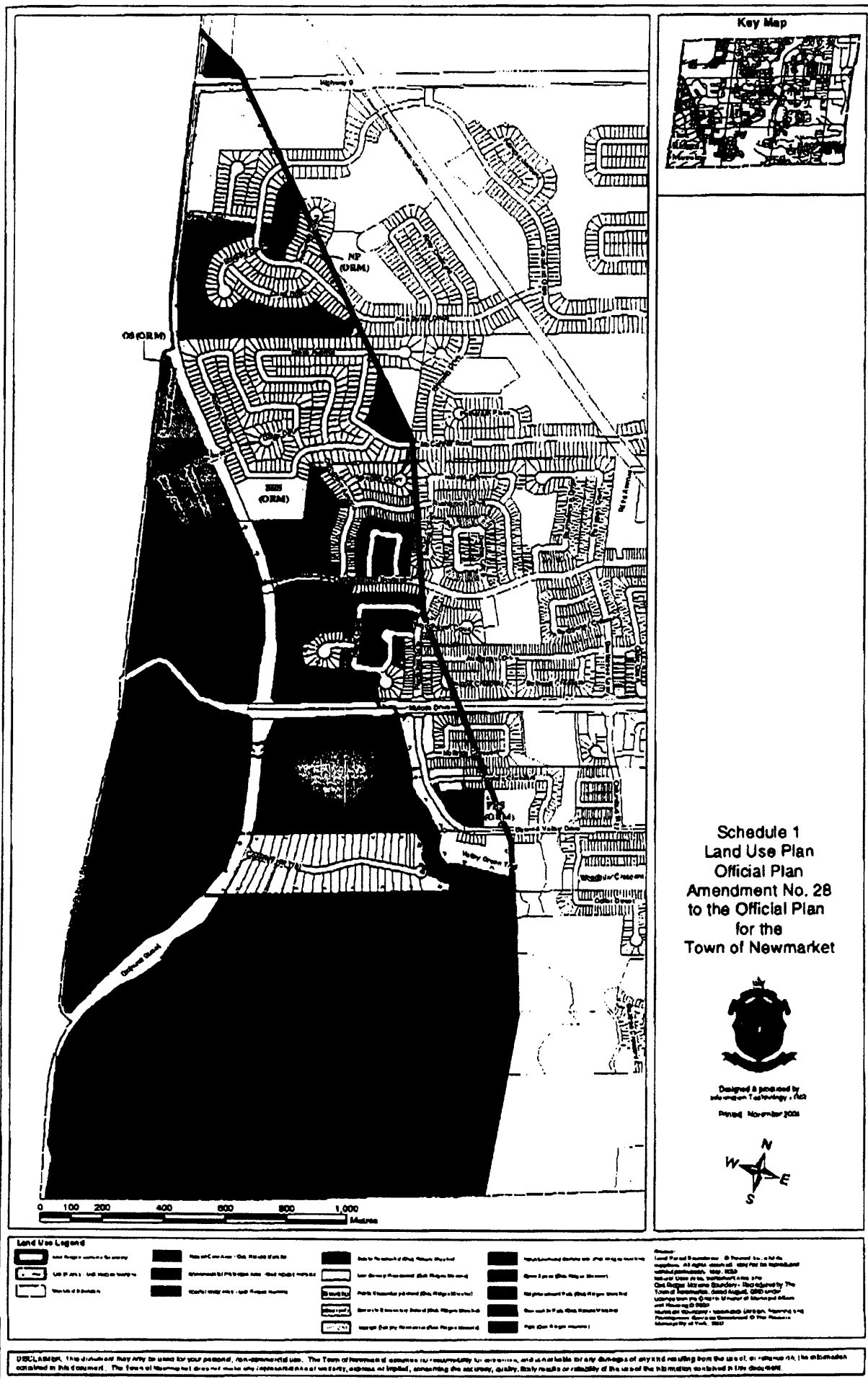




Environment and Planning

SCHEDULE 4

Urban Growth Centres



January 19, 2007

Tija Dirks
Ontario Growth Secretariat
777 Bay Street, 4th Floor
Toronto, ON
M5G 2E5

Received January 24, 2007
Clerk's Department, York Region
Forwarded to Minister, PIR on
January 26, 2007

Dear Ms Dirks,

RE: *Comments on Technical Paper on a Proposed Methodology for Developing a Built Boundary for the Greater Golden Horseshoe*

On behalf of the City of Vaughan I would like thank you for the opportunity to comment on the methodology proposed to determine the "built up" area in the City of Vaughan contained within the "*Technical Paper on a Proposed Methodology for Developing a Built Boundary for the Greater Golden Horseshoe*". Having reviewed this document and the report (attached) prepared by the Regional Municipality of York dated January 10, 2006, the City of Vaughan generally concurs with the comments presented by the Regional Municipality of York. However, we do have specific comments we would like considered before proceeding to delineate the final built up area boundary.

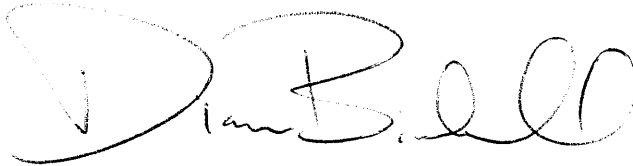
In order for detailed comments to be provided, a review of the datasets at a more suitable scale will be required. I have circulated the *Confidentiality Agreement Regarding Materials Prepared in Establishing the Built Boundary for the Greater Golden Horseshoe* to our Information Technology Department for review and signature and will be submitting them to you shortly. Once we have received the dataset, and have had adequate time to review and analyze the boundary, I am sure we will have additional comments. Until this time I trust the following comments will be useful to you in your deliberation on this topic.

With respect to lands within the Parkway Belt West Lands, the City concurs with the Region of York, that these lands should be considered to be "built up". While the Region of York would prefer to further review and assess whether these lands should be considered "built up", Vaughan would prefer that these lands be considered "built up" without any additional review because of the location and density of existing developments abutting these lands.

With respect to clarifying edge issues, the Region of York identifies a number of blocks within Vaughan that they consider to be "built up", specifically Blocks 10,11,12,18 and 39. Defining the edge of the built up area exclusively based upon the analysis of MPAC data and aerial photographs does not adequately represent or consider existing planning approvals. Therefore, we would request that all lands within Block Plans approved by Council within the City of Vaughan prior to June 16, 2006, regardless of their current state of development be considered "built up" for the purpose of delineating the boundary. In our opinion, it would impose an undo hardship to potentially slow the development of lands that conform to existing planning policies and which have been approved by Council within the context of the approved Official Plan Amendment.

We trust that you will give these comments every consideration as you proceed with the determination of the built boundary.

Sincerely,

A handwritten signature in black ink, appearing to read "Diana Birchall". The signature is fluid and cursive, with the first name "Diana" written in a larger, more prominent script than the last name "Birchall".

Diana Birchall
Director of Policy Planning

Attachment

Cc: John Zipay, Commissioner of Planning, City of Vaughan
W.L. McEachern, Manager, Policy Planning, City of Vaughan
✓ John Waller, Director Long Range and Strategic Planning, York Region
Sarah Hardie, Planner Long Range and Strategic Planning, York Region