

Item 8

Could not stay for deputation

Susan Walmer
Chairperson, R.A.Y.S.
Ratepayers of Aurora Yonge South
76 Elderberry Trail
Aurora, Ontario
L4G 6X2

4 *lp*
January 7, 2003

Re: Yonge Street South Urban Expansion Area

Official Plan Amendment No. 34, Town of Aurora

Please include a copy of this correspondence to all members of the Region's Planning and Economic Development Committee and include this letter in the minutes of the January 7, 2003 meeting .

Our ratepayers association has actively participated in all levels of the planning process, (the municipal, regional and provincial levels) to ensure the protection of the area within the boundaries of OP#34. Throughout this process, we have attempted with the various planning department to maintain a "environment first approach". This has not always been the case. While the collaboration of the public and the planning departments are imperative to moving the specific official plans forward, this process does not always interpret intent or provide clear wording and thus understanding of Official Plans.

OP#34 was approved at the municipality by the Town of Aurora Town Council in July 2000. It was forwarded to the Region for approval but approval was delayed due to an OMB challenge by two development proposals (Now Official Plans #38 and 39) This OMB hearing effectively altered OP#34 and since the amendments were strengthening the environmental approaches, OP#34 was again delayed to incorporate these changes. If OP#34 had followed the normal planning approval process and it most likely would have been approved by Regional staff as evidenced by their comments to this revision, **OP#34 would have been approved prior to the November 17, 2001 provincial ORM freeze and without question would automatically be subject to the ORMCP.**

And we would not be here today discussing this issue. Unfortunately, the approval of this Official Plan has been delayed numerous times. In order to ensure that OP#34 approved by the municipality in July 2000 followed the intent of Council, the past Council passed a municipal bylaw and OP#48 to ensure the ultimate protection of the Oak Ridges Moraine.

The Regional staff planning report does not mention the Town's OPA 48 and how it applies to these lands. The Oak Ridges Moraine Conservation Plan (ORMCP) is the ultimate planning tool and protection for the Moraine. The Town of Aurora Council determined development of these lands should meet

the requirements of the ORMCP. Accordingly, the Town Council passed the OPA 48 inclusive of OP#34 and submitted to the Province as part of the ORMCP conformity exercise. When approved by the Province, as submitted, the development of these lands will be required to meet the applicable policies of the ORMCP.

Therefore we are recommending that merely referencing the ORMCP is not sufficient to mirror the intent of the Town of Aurora. This report must clearly indicate that OP#48 recommends that OP#34 lands do indeed qualify for inclusion under the guidelines of the ORMCP. During the OMB hearing about OP#34, lawyers and planners spent at least a day arguing the definitions of the Oak Ridges Moraine Implementation Guidelines. The phrase "**must have regard for ...**" was one of the phrases discussed and is obviously still clearly ambiguous.

Under OPA 34 groundwater studies are only required to be completed on a "**block basis**". Cumulative effects are not known and the ORMCP will provide that cumulative groundwater management studies are undertaken. Most of our association members are private well owners and as such are very concerned about the protection of our source of drinking water.

As Mr Mac Earchern has clearly stated the Town of Aurora's bylaw and OP#48 indicates that "A more appropriate approach, particularly in Yonge South where no development has yet occurred would be to make all applications subject to the requirements of the Conservation Plan thereby avoiding discrepancies and less than optimal environmental management approaches from property to property."

We therefore recommend that the planning report include the wording:

"These lands are intended to meet the requirements of ORMCP as per OPA 48 adopted by Aurora Council October 22, 2003."

Sincerely,



Susan Walmer, Chairperson, RAYS

c.c. Neil Garbe, Director of Community Planning

John Gerretsen, Minister of Municipal Affairs

David Sit, Municipal Planning Advisor

Members of Council, Town of Aurora

Sue Seibert, Director of Planning, Town of Aurora

Patrick Mangion, Era Banner