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June 16, 2010

The Regional Municipality of York,
Planning and Development Services Department
17250 Yonge Street, Newmarket, Ontario L3Y 6Z1
Email futureyork@york.ca

Re: Regional Official Plan Amendments - Urban Expansions (19OP-2009 -001, 002 and 003)

Dear Chairman Fisch and York Region Council:

Over the last year, ratepayer and environmental groups have worked to increase public awareness and involvement in the crucial planning for Markham's future. A record breaking 1000 people attended Markham Council's February 16, 2010 public meeting.

Unfortunately, on May 11, 2010, Markham Council voted (7 to 6) to expand the urban envelope despite massive public opposition and abundant evidence that urban expansion would harm water and air quality, increase taxes and traffic, increase flooding and erosion, and pave 9 to 10 square kilometres of Class 1 farmland.

Councillors Carolina Moretti and Gord Landon cast the deciding votes in favour of urban expansion. These Councillors acknowledged that they have sons working for developers with property in the potential urban expansion area. They did not declare a **conflict of interest**.

I firmly believe that the Markham Urban Expansion Plan proposed by York Region is unscientific, unsustainable and contrary to the *Planning Act* and associated Provincial Policy Statements.

Planning Act Context

Decisions of planning authorities "shall be consistent with" provincial policy statements.

Urban Expansion - Contrary to Provincial Policy Statement for Water Protection

Provincial Policy Statement 2.2.1 states: *Planning authorities shall protect, improve or restore the quality and quantity of water by: a) using the watershed as the ecologically meaningful scale for planning; and b) minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts.*

The TRCA's 2007 Rouge River Watershed Scenario Modeling and Analyses Report concludes:

**"meeting water quality targets will become an increasingly distant goal
as the footprint of development expands"**
Section 4.2.9 Summary and Conclusions

As the urban envelope expands, E. Coli and chloride levels exceed provincial standards
Section 4.2, Figures 4.2-6 and 2.8

“Several studies suggest that the maximum impervious cover that a watershed can withstand before experiencing **severe hydrologic changes and consequent geomorphic and ecological impacts** is approximately 10%. “The Main Rouge subwatershed has been subject to significant urbanization with an approximate total impervious cover of 18% as of 2002.”

Rouge River Report Card (2007) Key Findings - Surface Water

“middle tributaries (Markham communities) would be subject to **major hydrological impacts**” if the urban envelope is expanded
S. 4.1.49 - Rouge River Watershed Strategy and Implementation Plan
Scenario Modeling and Analysis Report

“The best results for the terrestrial ecosystem would be achieved if the expanded natural vegetation cover plan (TRCA) was implemented and new urbanization only occurred within current official plan boundaries.”

Rouge River Watershed Plan 2007, page 94

Unrealistic Promises of Future Mitigation Effectiveness and Associated Taxpayer Burden

The TRCA Rouge Watershed Strategy and related reports predict adverse water quality and quantity impacts with urban expansion, even with the best foreseeable (not necessarily achievable) impact avoidance and mitigation measures. Developers and their consultants can promise advanced methods for protecting water quality and quantity, however, their track record proves that such promises are unrealistic and unachievable. In fact, developers go to great lengths (OMB appeals, parkland trade-offs, political pressure) to reduce development charges and environmental protection standards, once their land is designated and zoned.

Twenty years ago, stormwater ponds were touted as the answer to the protection of water quality and the avoidance of flooding and erosion. Despite some benefits from such ponds, erosion and water pollution have increased with urban expansion. In addition, mitigation measures like stormwater ponds require ongoing maintenance and investment. Such mitigation measures have an ongoing cost which municipalities often defer to control tax increases, leading to reduced mitigation effectiveness and increasing pollution over time.

York's Growth Plan - Contrary to Broad Public Support for Local Foodland Protection

According to the Key Findings of Markham's Agricultural Assessment (2009)

- The land base in the rural area of Markham is comprised of prime agricultural land as defined in the Provincial Policy Statement (PPS) with the majority of the land qualifying as Class 1. Class 1 land is a limited, non renewable resource in Canada comprising only 0.5% of the Canadian land mass.
- Markham enjoys a climate that supports higher productivity and longer growing seasons which when combined with the soil resource, allows a flexible and diverse production profile. Commodities such as fruit and vegetables, which are difficult to grow in less temperate areas, grow well in Markham.
- Between 2001 and 2006, the amount of farmland in Markham declined by 43% as compared to York Region at 5% and Ontario at 1.5%.

Provincial Policy Statement 2.3.1 states:

Prime agricultural areas shall be protected for long-term use for agriculture.

With the growing public support for local food production and the importance of local food security in a time of climate change and population growth, it makes no sense to pave-over some of the finest foodland in Canada, in one of our best climate zones, within our most populous region.

Provincial Policy Statement 1.3.9 does allow the designation of a settlement area within an agricultural area where it has been demonstrated that a) sufficient opportunities for growth are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the identified planning horizon; and b) “the infrastructure and public service facilities which are planned or available are suitable for the development over the long term and **protect public health and safety**”.

Urban Expansion – Contrary to the Protection of Public Health and Safety

The proposed expansion of Markham’s urban envelope is contrary to public health and safety. Scientific research and monitoring clearly shows that urban expansion would lead to increased E. coli bacteria and pollution in our water and increased flooding and erosion damage in vulnerable downstream Markham communities. For example, the TRCA’s 2007 Rouge Watershed Report Card and Rouge Watershed Strategy Scenario Modeling and Analysis Report, state:

“middle tributaries would be subject to major hydrological impacts under OP build-out and full build-out conditions” ... Page 4.1.49

.... **“future urbanization will increase the magnitude and duration of erosive flows in receiving watercourses** despite the use of current extended detention criteria to control runoff from more frequent events”. *Page 4.1-43*

“Given the HSP-F modeling results and the findings of other researchers, there is some doubt as to the whether stormwater management ponds based on synthetic design storms are sufficient to fully mitigate the effects of urban development on flooding under real world rainfall (snowmelt, ice and debris blockages) conditions.”
Flooding - Page 4.1.38

“flood-vulnerable roads (129) and flood vulnerable areas (533 properties and/or buildings) remain in the Rouge River watershed. The majority of these are located within the Town of Markham, along the Main Rouge River The relatively flat topography and the lack of valley definition of the Rouge River and its tributaries as the river flows east-west through Markham make this area particularly vulnerable to flooding.”

“Over 500 flood vulnerable areas within Markham would be expected to be inundated during the Regional Storm (Hurricane Hazel) and a number of roads and homes are predicted to flood in flows as low as the 2-year flood event.”

Rouge River State of the Watershed Report (2007) Page 5-25

Many scientists are observing and predicting significant increases in the frequency and intensity of severe storm events and flooding due to global warming. Given the TRCA's recent Rouge Watershed Report findings and the increasing frequency of severe storms and flooding, the currently envisioned expansion of Markham’s urban area is unscientific and unwise. It lacks the due diligence required to avoid costly damage to public health and safety, and downstream private properties, homes and public infrastructure.

Unwarranted Employment Land Expansion onto Farmland

Below please find three statements from Markham's May 2009 Employment Lands Strategy:

- 1) "Markham's existing commercial land supply could physically support all the new retail development warranted by growth to 2031."
- 2) "Markham currently has an industrial (employment) land supply of approximately ... ±485 net hectares ... vacant or underdeveloped."
- 3) "In more recent years, (industrial) land development trends in Markham have compressed somewhat, falling to between 22 to 25 hectares per year."

With an average recent uptake rate of 24 hectares per year and 485 hectares of vacant or under-developed land, Markham already has approximately 20 years of industrial land supply and "enough commercial land to support the new retail development warranted by growth to 2031".

As the three factual statements above reveal, there is little justification for expanding the urban envelope and paving more of Markham's irreplaceable farmland to pad Markham's existing inventory of employment lands. Excess supply leads to inefficient use and waste.

To respect the principles of sustainability, land conservation and leadership, York Region and Markham need to find ways to provide employment without paving more of Canada's finest farmland. After all, farmland is employment land, and it does not require expensive servicing and infrastructure. In the future, the movement back to diverse and community supported agriculture (CSA) will enhance the already significant employment, economic and community benefits of Markham's farmland.

Existing employment lands can be expanded upward (more floors) and downward (underground parking) to conserve and efficiently utilize land. Changes to bylaws could allow greater site coverage in some cases. Mixed commercial residential developments offer great potential for efficient land use.

There are many creative opportunities for additional employment lands within the existing urban envelope (60% of Markham's existing land base). There is no pressing need to swallow-up and destroy more farmland by expanding the urban envelope.

Expansion of the Greenbelt in Markham Represents Good Planning

Professor Mike Bunce, a rural geographer and former Greenbelt Advisory Panel member, has written to support the expansion of the Greenbelt in Markham. As Professor Bunce notes, the addition of Markham's remaining farmlands to the Greenbelt would promote good planning by:

- a) Protecting land surrounded by Rouge North Greenbelt corridors, - a logical Greenbelt addition;
- b) Protecting local foodlands of higher quality than most of the land within the Greenbelt;
- c) Retaining countryside buffers between Rouge North Greenbelt corridors and urban areas;
- d) Increasing residential and commercial densities within the existing urban envelope, an approach consistent with *Places to Grow Act* and sustainable community design.

Conclusion:

In his 2006/07 Annual Report, Ontario's Environmental Commissioner notes:

"The province established population projections for some communities subject to the Growth Plan, before assessing the related water and wastewater infrastructure needs, their associated costs and environmental impacts. **This puts the cart before the horse.**

....many parts of Southern Ontario have reached their capacity to accommodate additional infrastructure, housing and human populations."

If Markham's Growth allocation is reduced from 151,000 to 110,000 and/or if Markham's existing urban land is used more efficiently, there will be sufficient opportunities for growth without expanding the urban envelope and paving additional farmland and greenspace. Pursuant to PPS 1.3.9, sufficient opportunities for growth are available through intensification and redevelopment.

There is strong public support for the protection of farmland and Rouge River greenspace. We hope York Region will respect the *Planning Act* and Provincial Policy Statements by refusing to support the expansion of the urban envelope.

Given the scientific findings of the 2007 Rouge Watershed Strategy, the requirements of the *Planning Act* and Provincial Policy Statements, the implications of climate change and rising fossil fuel costs, York Region's growing debt risks, the costs of servicing further urban expansion, and the Province's back-tracking on transit and municipal infrastructure funding, **we respectfully ask York Region to:**

- 1) - **vote against the proposed urban expansions, particularly within Markham;**
- 2) - **protect the prime farmland and greenspace areas in the "whitebelt" by asking the Province to add these lands to the Golden Horseshoe Greenbelt.**

Sincerely,



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TRCA Scientific Findings on Water Quality and Expanding the Urban Envelope

Water Quality tends to Decline as the Urban Envelope Expands:

"meeting water quality targets will become an increasingly distant goal as the footprint of development expands"

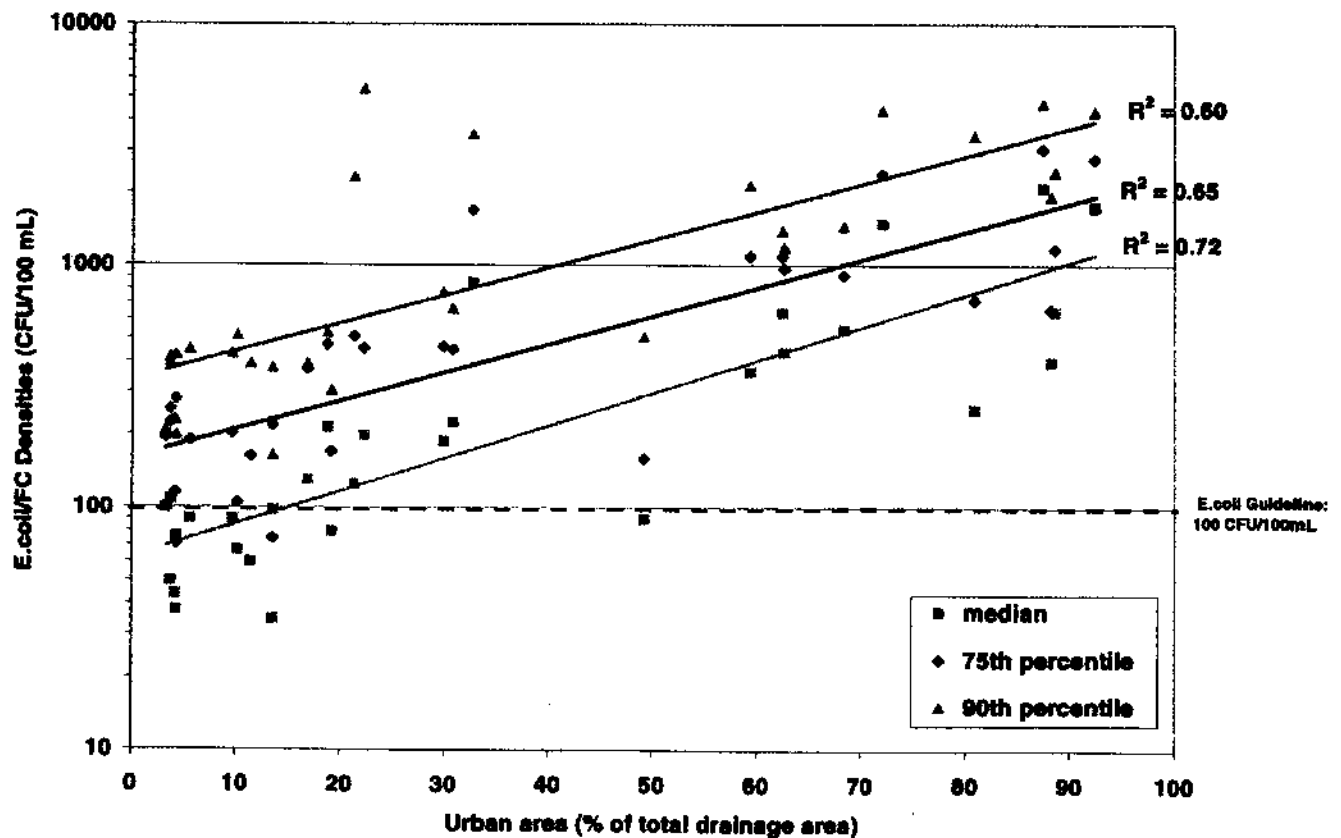
Source: Rouge River Watershed Strategy Scenario Modeling and Analyses Report
Surface Water Quality Section 4.2.9 Summary and Conclusions, p.4.2.30

E. Coli Levels tend to increase above Provincial Standards as the Urban Envelope Expands

Figure 4.2-6 shows a **positive relationship** between *E. coli* faecal coliform densities and the percent of urbanized area upstream of each of the 31 Rouge Watershed Monitoring Network (RWMN).

Source: Rouge River Watershed Strategy Scenario Modeling & Analyses Report p.4.2-14

The MOE Standard is less than 100 E.coli/100 ml water for safe human contact with surface water



Strong links between impervious cover and bacterial contamination in streams have also been reported in the United States by Wickam et al. (2006), Smith et al. (2001) and Tuford and Marshall (2002).