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March 1, 2004

Regional Municipality of York
Regional Administrative Building
17250 Yonge Street
Newmarket, ON L3Y 6Z1

By Facsimile 905 895-3031

Attention: Mr. Denis Kelly, Clerk

Dear Sir:

Reference: Town of Markham OPA 116 Rouge North Official Plan Amendment

Please accept this letter as formal comments regarding the Rouge North Official Plan Amendment (the "OPA"). By way of background, since 2000, I have acted on behalf of the Urban Development Institute (UDI) by participating in the consultation process that has led to the creation of the OPA and supporting materials. Over the course of the consultation period, I have provided a detailed technical analysis of the Rouge North Management Plan, presented materials to the Rouge Park Alliance (the "Alliance"), met with Markham staff, participated on the Alliance's Technical Review Sub-Committee. Our detailed correspondence from UDI York Chapter to the Town of Markham Staff dated April 23, 2002, in large part summarized our concerns and position. I have been asked to provide an update regarding our thoughts given the current circulation of this OPA to the Region of York. This letter is submitted on behalf of UDI and a concerned landowners group.

First let me say that there is a general recognition by UDI and by landowners that the Town and the Alliance have worked hard to establish the Rouge North Management Plan and to bring this amendment forward. UDI remains supportive of the general objectives of establishing a viable Rouge Park within the Town. Like others involved in this process, UDI believes that the Rouge North area is a special circumstance being an extension of the designated Rouge Park lands in public ownership within the City of Toronto. In that regard, UDI accepts this policy is applicable only to the Rouge watershed because of its unique features. We understand and support the suggestion that the policy is not to be used as a basis for OPAs in other watersheds in the GTA.

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The following summarizes two key areas of concern regarding the OPA for the Rouge Park. Other technical issues and minor clarifications are still required to ensure that the OPA reflects the best available science and planning approaches. This review builds upon substantial input already provided by UDI.

One of our primary concerns is the reliance of the OPA upon the Rouge North Plan and its companion, the Rouge North Implementation Manual. These documents make reference to evolving policies and programs currently being developed by TRCA (e.g. Valley and Stream Program review, development of a Natural Heritage Strategy, ongoing use of TRCA generated species status lists). This could result in the potential to institutionalize new and still evolving TRCA programs and approaches. It is difficult to respond to an OPA when the definition of some key aspects will continue to evolve without the opportunity for formal technical review to positively affect change or to prevent the inappropriate application of the bylaw.

While we understand that Regional Staff have identified this OPA as a policy overlay, we are concerned that the OPA does directly reference the "ecological criteria" defined to establish the park boundaries. A number of these criteria are vague and all-inclusive, which could result in a degree of uncertainty (i.e. longer approvals process, more in-field interpretation by various parties) regarding the establishment of technically sound boundaries (e.g. woodland and vegetation communities, locally significant areas, species of concern, corridor function, woodland restoration requirements). There is substantial room for interpretation of significance and boundary delineation, based upon these general criteria.

Given these key areas of concern and other related comments, I request that the Region delay the adoption of the amendment. This would permit us to have some fruitful additional discussion with staff from both the Town and Region. During those discussions, we would be pleased to share our more detailed comments and discussions regarding how we believe the OPA and supporting materials could be further enhanced.

If you have questions, please call the undersigned at 519 836-6050 x 242.

Yours truly,

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