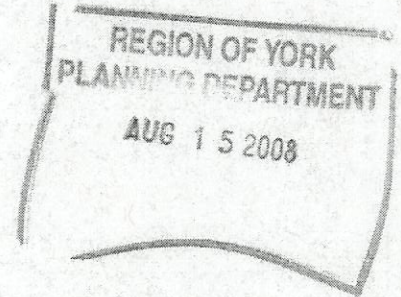


**Ministry of
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August 11, 2008

Ms. Heather Konefat, M.C.I.P., R.P.P.
Director
Development Services
Regional Municipality of York
17250 Yonge Street
Newmarket, ON L3Y 6Z1

Re: Proposed ROPA 52
Vaughan Highway 400 North Employment Area
MAH File No.: 19-DP-1994-07043

This letter and attached staff report are further to the Ministry's this letter and staff report on this matter.

Thank you for including MAH in your discussions. Should you have any questions or wish to further discussions on this matter please feel free to contact myself at (416) 585 - 6564.

Regards,

A handwritten signature in dark ink, appearing to read "BSingbush".

Bruce Singbush MCIP RPP
Regional Director
Municipal Services Office – Central Region
Ministry of Municipal Affairs and Housing

cc. John Zipay, The City of Vaughan
Ron Glenn, Ministry of Energy and Infrastructure
Jin Wang, Ministry of Transportation

MINISTRY STAFF REPORT

Planning System:	Bill 26, Strong Communities (Planning Amendment) Act
File Number(s):	19-DP-1994-07043 – proposed ROPA 52
Upper Tier:	Region of York
Municipality:	City of Vaughan
Applicant:	City of Vaughan
Related Files:	19-DP-1500-05037 – adopted OPA 637
OP Conformity:	See Preliminary Ministry Assessment
Provincial Issues:	Outlined Below.

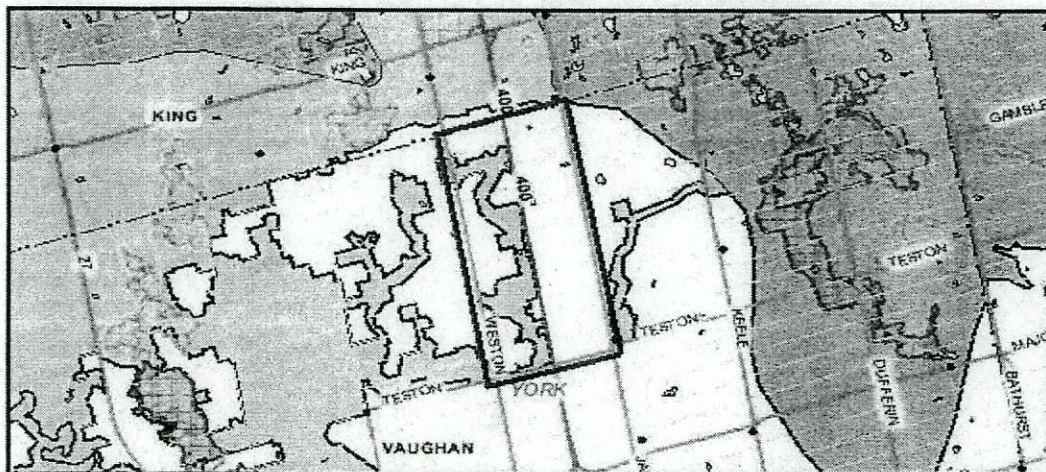
PROPOSAL:

A municipally initiated urban boundary expansion (ROPA 52) is proposed by the City of Vaughan. The amendment is intended to redesignate approximately 800 hectares (2000 acres) of land from "Agricultural Policy Area" and "Regional Greenlands System" to "Urban Area" and "Regional Greenlands System" in the Regional Official Plan. Of the 800 hectares, approximately 519 hectares will be utilized for employment-related uses (as described in the Region's Report No. 8 - dated October 19, 2006, and Report No. 6 - dated June 21, 2007) and 12 hectares will be used for estate residential uses. The remaining areas are within the Greenbelt Plan Area and therefore uses are to be in conformity with the Greenbelt Plan.

A public meeting was held on October 4, 2006 regarding the Regional amendment, outlining the intent of the proposed amendment. Although the intent of the amendment is indicated by the Region of York, the Province has not formally received circulation of a draft amendment for review and comment. To date, the Regional Reports No. 8 and Report No. 6 only describe the effect of proposed amendment to the Regional Official Plan in absence of a draft amendment.

Official Plan amendments in the Region of York are exempt from the Minister of Municipal Affairs approval. However, as required under the *Planning Act*, the Region is required to pre-consult with the Province prior to making a decision on this amendment. See Map 1 below for locational details.

Map 1 Vaughan Urban Expansion Study Area



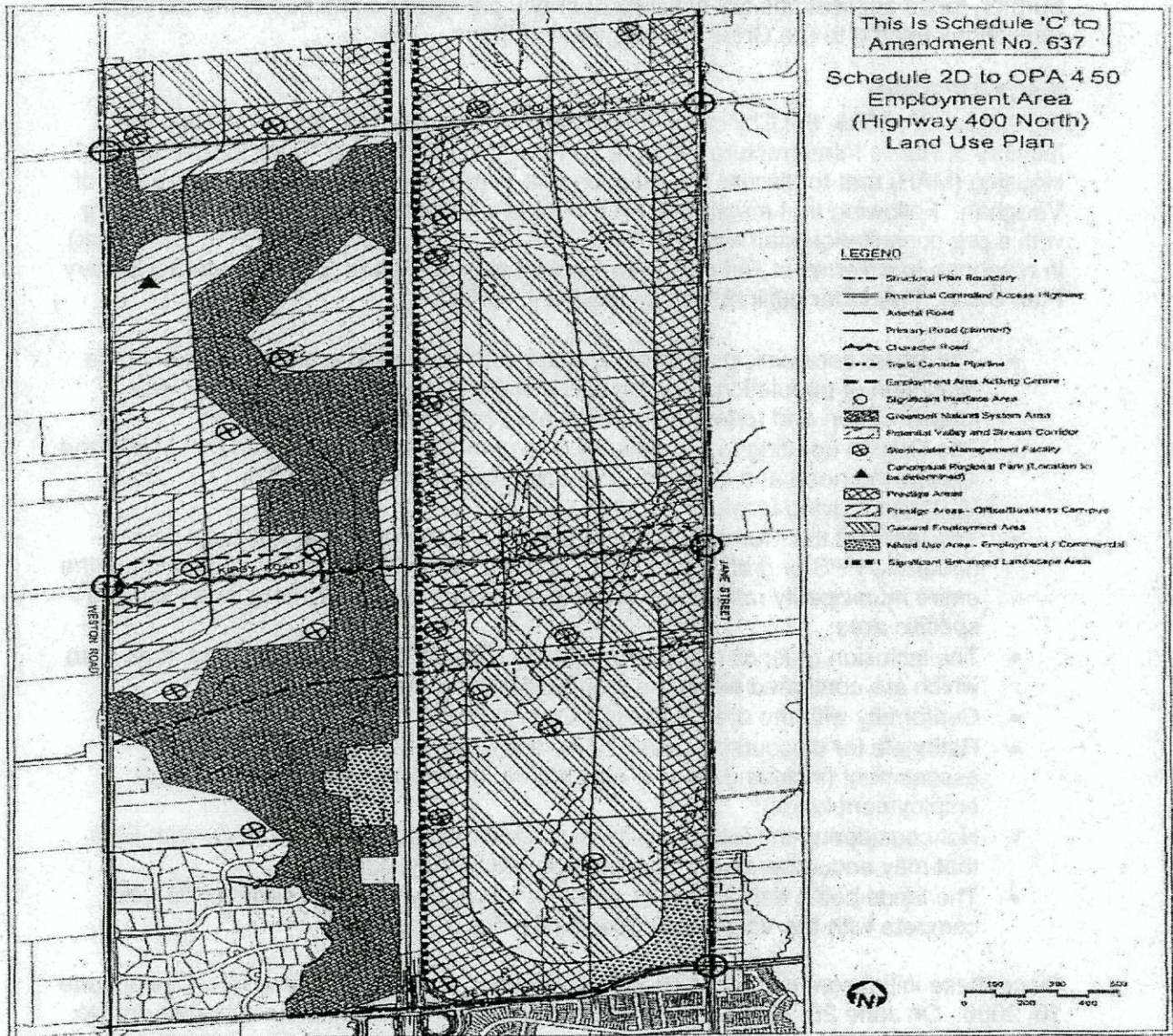
Associated Planning Applications

The origin of the City of Vaughan's request for proposed ROPA 52 arose from Vaughan Council's adoption of local official plan Amendment No. 637 on June 26, 2006 that would enable the urban boundary expansion to proceed, and for the lands to be used for employment purposes. The Region of York is the approval authority for the locally initiated amendment.

As adopted, proposed Amendment No. 637 would allow for a number of employment uses (which include prestige industrial areas, mixed use areas - employment/commercial and an Employment Activity Centre), as well as some lands designated/protected for limited estate residential areas, regional parklands, a Greenbelt Natural Heritage system, and natural heritage areas. See Map 2 for specific proposed land uses within proposed Amendment No. 637.



Map 2 Proposed Employment Area Land Use Plan



Conformity with the Provincial Plans and Policies

- The Provincial Policy Statement (PPS) came into effect on March 1, 2005.
- The Provincial Greenbelt Plan came into effect on February 28, 2005, but is effective as of December 16, 2004.
- The Provincial Growth Plan came into effect on June 16, 2006.

Given that both ROPA 52 and OPA 637 were commenced after all of the above dates and are within the areas to which these policies and Plans apply, both these amendments are subject to all the policies in the PPS, Greenbelt Plan and Growth Plan.

Further, these applications are not subject of any provisions contained in the transition regulations related to the Greenbelt and Growth Plans.

BACKGROUND:

On August 30, 2005, the City of Vaughan (and consultants), the Region of York, the Ministry of Public Infrastructure Renewal (PIR) and the Ministry of Municipal Affairs and Housing (MAH) met to discuss the initiation of a employment needs study by the City of Vaughan. Following that meeting, MAH provided a letter on December 23, 2005 along with a pre-consultation staff report to the City of Vaughan (copied to the Region of York) in response to a Terms of Reference for the Highway 400 North Employment Secondary Plan Study. This letter outlined several issues including:

- The upper tier municipalities being responsible for leading and coordinating the allocation of population, housing and employment projections together with intensification and redevelopment targets for lower tier municipalities;
- The Region needing to complete its own comprehensive review to determine and identify the need and areas for potential urban expansions, prior to the City of Vaughan moving forward;
- The fact that this work would not represent a comprehensive review required under the PPS or draft Growth Plan and a more involved process considering the entire municipality rather than scoping the review to employment lands within a specific area;
- The inclusion of lands currently within the Natural Heritage of the Greenbelt Plan which are contained within the proposed expansion area;
- Conformity with the draft Provincial Growth Plan;
- Rationale for discounting several potential employment lands from their assessment (including the Highway 427 lands, including a vacancy rate for employment lands);
- Not considering the future east/west corridor identified in the draft Growth Plan that may encumber the future development of these lands; and
- The lands being designated as 'prestige employment' would seem to directly compete with the Vaughan Corporate Centre

Since these initial comments, the Provincial Growth Plan has come into effect as of June 16, 2006. On June 26, 2006 the City of Vaughan adopted Official Plan Amendment No. 637 (OPA 637) and forwarded it to the Region of York for approval. Concurrently, the City of Vaughan made a request to the Region of York for a Regional Official Plan Amendment (proposed ROPA 52) to add the OPA 637 planning area to the Region's urban boundary – effectively requesting an urban boundary expansion.

In addition to the above comments, MAH further provided a letter on October 4, 2006 to the Region summarizing the matters that were raised in the previous comments. Following these comments, additional meetings and teleconferences took place on October 11, 2006 and August 20, 2007 respectively.

Additionally, on May 16, 2008 the Region forwarded MAH a letter with an attached staff report containing Regional Council's recommendations. These recommendations generally outlined:

- the importance of protecting strategic employment lands located along existing and future 400-series Highways;

- Regional Council's support, in principle, of an expansion to the urban area of Vaughan and the Region to establish a strategic and Regionally-significant employment area adjacent to Highway 400 and sufficient work had progressed sufficiently to determine the regional market component of the comprehensive review process under the Growth Plan; and,
- that a report be prepared for adoption of ROPA 52 once additional work identifying amount, staging, phasing and general timing of development, related to local market considerations, has sufficiently progressed to meet the municipal comprehensive review requirements of the Growth Plan.

MINISTRY ASSESSMENT:

The following assessment is based on a review of the Bill 26, the *Strong Communities Planning Amendment Act, R.S.O. 1990*, the Provincial Policy Statement, the Greenbelt Plan and Growth Plan, together with consultation with both the Ministry of Transportation (MTO) and the Ministry of Public Infrastructure Renewal (now the Ministry of Energy and Infrastructure – "MEI").

The following comments build and/or elaborate upon the matters raised in the aforementioned meetings and the Ministry's prior written comments (see copy attached to this staff report as Appendix 1).

Settlement Area Boundary Expansions

Section 2.2.8 of the Growth Plan applies in situations where an expansion to a settlement area is proposed within a municipality. Section 2.2.8.2 states that a settlement area boundary expansion may only occur as part of a *municipal comprehensive review* that demonstrates, among other matters:

- that sufficient opportunities to accommodate forecasted growth contained in Schedule 3 of the Growth Plan, through intensification and in designated Greenfield areas, are not available;
- the existing or planned infrastructure required to accommodate the proposed expansion can be provided in an financially and environmentally sustainable manner;
- in *prime agricultural areas*:
 - the lands do not comprise specialty crop areas
 - there are no reasonable alternatives that avoid prime agricultural areas
 - there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas

Municipal Comprehensive Review under the Growth Plan is defined as "an official plan review or an official plan amendment, initiated by a municipality that comprehensively applies the policies and schedules of the Growth Plan".

On this note, we are aware that the Region of York is currently in the process of undertaking its *municipal comprehensive review* through its "Planning for Tomorrow" initiative. As part of this ongoing exercise, the Region is expected to address such matters as allocating population and employment forecasts to each individual lower tier municipality; undertaking an analysis of potential intensification and redevelopment opportunities; setting targets to achieve intensification and density targets; and balancing other infrastructure, resource related and public health and safety considerations. These

efforts are intended to address whether or not any future settlement boundary expansions are needed and, if so, which locations are the most appropriate.

As such, given that the Region's *municipal comprehensive review exercise* is still ongoing, the Region should not proceed with proposed ROPA 52 at this time. At this point, the approval of an urban boundary expansion in the absence of the completion of the Region's municipal comprehensive review exercise is premature and would not be in conformity with the Growth Plan.

Also, in section 4.2.1 of Report No. 6, the Region has identified it is undertaking work to estimate the amount of employment lands needed arising from its "Planning for Tomorrow" report – which identifies preliminary land need requirements. It is understood that the preliminary estimate the Region is using is 801,000 jobs which does not match with the forecast of 780,000 jobs as contained in Schedule 3 of the Growth Plan. The Region's estimate does not conform with the Growth Plan and represents an inconsistency when considering the overall intent of the Growth Plan. Policy 2.2.1.1 of the Growth Plan states that the forecasts set out in Schedule 3 are to be used for planning and managing growth.

Given that growth forecasts, intensification, density and land needs are integral components of Section 2.2.8 of the Growth Plan, the justification for the proposed amount of employment land appears in question. This is reinforced by the Region's recent release of Clause No. 4, Report No. 5 - York Region Employment Land Area Analysis. This report indicates that the Region's average absorption of employment area lands has been about 120 net hectares/year since 1996, with a slight decline between 2001 – 2006.

The report goes on to identify that the Region has approximately 2,894 net hectares of employment land. Based on the average annual absorption of 120 net ha/yr, this suggests that the Region has about a 24 year supply of employment lands (while recognizing that there are variations in the supply based on parcel size). Moreover, it appears as though the recent report does not consider this proposal or the Keswick Business Park (which only recently received approval) – which collectively contemplate a significant amount of new employment lands. This further underscores the need for the Region to complete its municipal comprehensive review as it will form the appropriate vehicle for considering both the supply and demand sides of the equation as well as the various assumptions underpinning the same.

Highway 427 Employment lands and other Employment lands in the Region

One particular matter of concern relates to the Highway 427 extension and the associated employment lands. The background report suggests that the completion of the Highway 427 corridor/route creates uncertainty for the development of the employment lands in the Highway 427 area. On this note, the Environmental Assessment Study is currently ongoing and is expected to be completed in 2009 by the Ministry of Transportation. To date, one Public Information session was conducted in April 2007 and two others occurred in May 2008. As such, given that the EA study is progressing in a reasonable timeframe, and there has already been a technically preferred route established through this process, any concerns regarding the long term development of the employment lands in the Highway 427 should be alleviated.

In addition, and related to the above discussion regarding supply of land, it is also noted that in the Region's report no. 8, under section 4.1.3, it indicates that the Region currently has an 11.8 year supply of vacant land that are intended to be used for employment purposes. This supply currently excludes the lands surrounding the Highway 427 area, and it is assumed this report has now been replaced by the more recent Report No. 5 as mentioned above.

Accordingly, if all these lands which are presently designated or subject to ongoing planning applications were to be added to the vacant employment land supply, the Region's overall employment land supply will be increased, including those specifically located in the City of Vaughan. These considerations need to be finalized through the Region's municipal comprehensive review. Further, the lands designated for employment in the 427 area should be considered as part of the land needs supply within the 2031 planning period.

Ongoing Master Transportation, Water and Wastewater Plans

Under Section 4.1.4 Regional Infrastructure in Report No. 8 it states that the Region has initiated Master Plans dealing with transportation, water and wastewater. These plans are currently on-going and when completed they will be used to help inform how the Region delivers infrastructure services across all municipalities, including the lands which are subject to ROPA 52. Further, the Region has indicated in Report No. 6 dated June 21, 2007 that the development will be on full municipal services on a servicing scheme determined by the completion of the Region's Master Plan process in 2008. It is further understood that the Region is contemplating several growth options based on modelling of both growth and infrastructure.

As such, until this modelling and associated Master Plans are completed, the Region is not in a position to comprehensively address Section 2.2.8 of the Growth Plan, including the consideration of both the amount and location of any potential future urban expansions. It is also understood the Region is doing an infrastructure fiscal analysis based on various growth options which will help inform the assessment of the preferred growth options. It would be beneficial to understand the parameters/criteria which are being used in this modelling exercise and the resultant fiscal analysis based on the scenarios.

Growth Plan conformity

Outside of the municipal comprehensive review requirements of the Growth Plan for settlement area boundary expansions, there are other Growth Plan matters that need to be addressed as part of determining if this proposal conforms to the policies of the Growth Plan.

Urban Growth Centre and Employment policies

The first deals with the Vaughan Corporate Centre. As you are aware, the Corporate Centre is identified as an Urban Growth Centre (UGC) under the Growth Plan. As such, it is anticipated that a significant amount of growth (both people and jobs) is expected to be directed to these areas in order to achieve the targets that have been set out in the Growth Plan (e.g. 200 residents and jobs combined per hectare). This being the case, part of the Region's municipal comprehensive review and Growth Plan conformity exercise should be assessing if future settlement area expansions, such as the one

proposed in ROPA 52, will adversely affect achieving the other policies in the Growth Plan, and particularly the ones applying to the UGC areas.

To this end, it is noted that office uses are proposed in OPA 637. This may present a conflict with the 2.2.4.4 c) and 2.2.6.4 of the Growth Plan if these types of uses (depending on the scale) would be considered as "major office", as these should be inherently directed to the UGC's and/or other nodes and corridors.

GTA West Transportation Corridor

The Growth Plan for the Greater Golden Horseshoe identifies a Future Transportation Corridor to provide better linkages between Urban Growth Centres in the GTA West Corridor Preliminary Study Area. The Ministry of Transportation (MTO) has initiated an Environmental Assessment (EA) Study to examine transportation problems, opportunities and alternative solutions in the GTA West Corridor area.

An EA Terms of Reference has been approved on March 4, 2008 by the Minister of Environment. MTO is now proceeding with the subsequent EA study in accordance with the approved Terms of Reference which includes a Preliminary Study Area.

The GTA West Corridor Environmental Assessment Study is a Provincial initiative, undertaken by MTO to support the provincial transportation policies and directions set out in the Growth Plan. Specifically, Section 3.2.2.3 of the Growth Plan provides that planning for the development, optimization, and/or expansion of new or existing transportation corridors, provincial ministries, public agencies and municipalities will ensure that the corridors are identified and protected to meet current and projected needs.

In addition, Section 1.6.6.1 of the Provincial Policy Statement (PPS) provides that planning authorities shall plan for and protect corridors and rights-of-way for transportation, transit and infrastructure facilities to meet current and projected needs. Section 1.6.6.2 of the PPS stipulates that planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridors for the purposes for which it was identified. "Planned corridors" are defined in the PPS as "corridors identified through provincial plans or preferred alignment(s) determined through the Environmental Assessment Act process".

Given the above noted provincial policies and given that the province is in the process of carrying out a full environmental assessment in this corridor to examine all reasonable options, and that the proposed expansion to the existing urban boundary may preclude potential transportation options, or may reduce the number and/or the viability of potential transportation options being examined in the EA study, it is recommended that the amendment not proceed until such time that the future transportation corridor is better defined through the EA process.

The first stage of the EA – a recommended transportation development strategy, which is anticipated to be completed by the end of 2009, will define the nature and types of future transportation improvements in the GTA West corridor.

**GTA West Corridor
Consolidated Land Use Constraints Map**

Legend

- Environment (green)
- Agriculture (yellow)
- Urban (dark grey)
- Transportation (light grey)
- Water (blue)
- Other (white)

Scale

0 1 2 3 4 5

HERITAGE

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Notes: Official Plan consent is based on services and risks municipal plans. These maps are for informational purposes only.

For this reason and in keeping with policy s. 3.2.2.3 of the Growth Plan, municipalities are required to ensure that corridors are identified and protected to meet current and projected needs. As indicated in section 4.3.1 of Report No. 6, the Region has been in consultation with MTO regarding the necessary protection of this corridor. Given the importance of this potential corridor and implications it has on this area if it were to be urbanized for employment land purposes, it is unclear how any detailed planning for this proposal could move forward in a meaningful way prior to identifying a technically preferred route (if the EA accepts the justification for the facility in the first instance).

Greenbelt

In addition to the work being completed for conformity with the Growth Plan, the Region has indicated that it is also progressing with Greenbelt conformity. This will be taking place throughout 2008 in consultation with the area municipalities and the Province. As with Growth Plan conformity, this will be undertaken comprehensively throughout the Region of York.

It would seem that, as this exercise is unfolding within a relatively similar timeframe to the "Planning for Tomorrow" work, it would be appropriate to include it as part of a complete Official Plan update. This could also work toward establishing and identifying the natural heritage system in-line with policy 4.2.1 of the Growth Plan.

As such, it seems that a comprehensive review of the York Official Plan should include conformity with the Greenbelt Plan along side the work already completed by York Region prior to an urban expansion being adopted or approved. This will also assist the City of Vaughan to plan appropriately for future growth.

Other Matters:

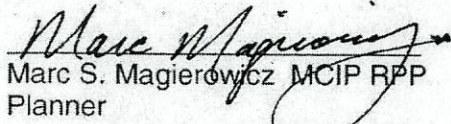
At the present time, these comments focus on several of the threshold matters that need to be considered by the Region prior to moving forward. These comments should not be considered inclusive of full Growth Plan, Greenbelt Plan and PPS conformity given the nature of the ongoing work being undertaken by the Region as well as additional work yet to come.

Formal submission of Draft ROPA 52

On June 22, 2007, York Region provided Report No. 6 of the Planning and Economic Development Committee, in addition to the previous Report No. 8 provided on October 19, 2006. Our comments are based on the Region's Reports No. 8 and 6 that have been provided. We note that a formal draft amendment has not been provided with the required background material.

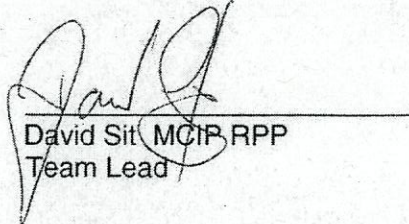
To this end, we would see that any amendment for a settlement area boundary expansion should include revisions to both Maps 4 (Greenlands system), 5 (Regional Structure) and 6 (Agricultural and Rural Area) as a minimum.

Prepared by:


Marc S. Magierowicz MCIP RPP
Planner

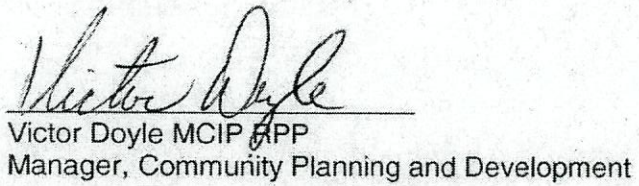
Date: August 4/08

Reviewed by:


David Sit MCIP RPP
Team Lead

Date: AUG 4/08

Approved By:


Victor Doyle MCIP RPP
Manager, Community Planning and Development

Date: August 4, 2008