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**APPEALS TO THE ONTARIO MUNICIPAL BOARD BY
QUEENSVILLE PROPERTIES DEVELOPMENT CORPORATION
PLAN OF SUBDIVISION 19T-03001, EAST GWILLIMBURY**

(Regional Council at its meeting on February 19, 2004 amended the foregoing Clause as follows:

Recommendation 1. ii. be amended to read

Satisfactory arrangements have been made for the extension of Provincial Highway 404 to provide two additional lanes of north-south road capacity.

Recommendation 2 be amended as follows:

All words after “identify” be deleted and replaced with the words “that satisfactory arrangements have been made for the extension of Provincial Highway 404 to provide two additional lanes of north-south road capacity.”)

The Planning and Economic Development Committee recommends the adoption of the recommendations contained in the following report, January 21, 2004, from the Commissioner of Planning and Development Services, subject to including the words “and also meet with representatives from the Town of Newmarket” following the words “Metrus Developments Inc.” in recommendation 2:

1. RECOMMENDATIONS

It is recommended that:

1. The Ontario Municipal Board be advised that draft plan approval of plan of subdivision 19T-03001 should only occur following the Region confirming:
 - i. A pre-paid Development Charge Credit Agreement for the extension of the York Durham Sewage System and provision of municipal water supply to the community of Queensville has been executed.
 - ii. Satisfactory arrangements have been made for Regional Road improvements sufficient to provide two additional lanes of north south road capacity in the Leslie St./Woodbine Avenue corridor.
2. Regional staff continue to meet with representatives from the Town of East Gwillimbury and Metrus Developments Inc. to identify road improvements that can achieve additional road capacity in the Leslie Street/Woodbine Ave corridor, until Highway 404 is extended.

3. Regional staff be authorized to appear at the Ontario Municipal Board in support of the Regional position as outlined in Section 4 of this report.

2. PURPOSE

The purpose of this report is to:

1. Inform Committee and Council of the appeals lodged by Queensville Properties Development Corporation (Metrus Development Inc.) regarding the following:
 - Failure by the Town to make a decision regarding proposed plan of subdivision 19T-03001 located within the Queensville Community Plan Area.
 - Refusal by the Town to enact an amendment to the core area buffer policies of the Queensville Community Plan (Amendment No. 89 to the East Gwillimbury Official Plan).
2. Identify the Regional interests in the above noted appeals.
3. Recommend a position on the matters based on the impact on Regional interests.
4. Highlight the transportation situation in the Leslie St./Woodbine Avenue corridor between Keswick and Newmarket, which impacts the timing of development in Queensville.

3. BACKGROUND

Plan of subdivision 19T-03001 is located within the approved boundary of Queensville Community. The Queensville Community is identified as “Urban Area” by Map 5 of the Regional Official Plan.

The East Gwillimbury Official Plan, as approved February 24, 1998 by York Region, states that the community of Queensville will become the focus of urban development in the Town of East Gwillimbury. In the long term the community will be recognized as the Town Centre for the municipality.

3.1 Queensville Community Plan

The Queensville Community Plan, as approved by the Ontario Municipal Board on April 7, 1998, provides land use designations and policies to guide growth in the community to 2021. The Community Plan envisions a 2021 population of 20,000 persons, approximately 200 acres of industrial land and a variety of community/institutional uses.

Development is to be phased based on the availability of water and sewer servicing and the ability of the planned transportation system, including the extension of Highway 404, to accommodate growth. Policies of the Community Plan require the Town to approve a

phasing plan prior to further approvals of implementing zoning by-laws or plans of subdivision.

Policy 11.2.6 of the Community Plan states:

“The Phasing Plan shall require that no development shall take place prior to satisfactory arrangements for front-ending agreements, accelerated payments, or other suitable mechanisms for the extension of Highway 404 as a two lane arterial road to Queensville Sideroad, or Regional road improvements sufficient to provide two additional lanes of north-south capacity. Provided such arrangements are implemented, a development threshold of 1,000 new residential units in Queensville could be accommodated. Beyond this threshold, additional transportation studies will be required to determine if subsequent development thresholds need to be established.”

The Town has initiated an amendment to the Queensville Community Plan to revise the document to reflect a more accurate alignment of the extension of Highway 404 as determined by the Environmental Assessment. The proposed amendment is not expected to impact land use designations west of Leslie Street and it has not yet been adopted by the Town. The proposed amendment does contain phasing provisions linking residential development to employment development in Queensville.

3.2 Plan of Subdivision 19T-03001

Plan of subdivision 19T-03001 was submitted to the Town of East Gwillimbury on January 17, 2003. The application is proposing 1,026 residential units comprised of 788 detached (76 %) and 238 townhouses (24 %), a park, two school sites, open space, valleyland, woodlot and stormwater management blocks on approximately 99 ha (246 acres) (*see Attachment No. 1*). Development is proposed on full municipal services. The site is located on the west side of Leslie Street, south of Queensville Sideroad.

Lands subject to plan of subdivision application 19T-03001 are designated for low and medium density residential uses, open space, institutional, and town centre uses by the Queensville Community Plan.

3.3 Appeals

The Official Plan amendment, plan of subdivision and related zoning by-law are currently before the Ontario Municipal Board. The OMB has scheduled a pre-hearing conference for January 26, 2004 at which time the Board is likely to set the start date and the anticipated length of the full hearing.

The Town of East Gwillimbury was the approval authority for plan of subdivision 19T-03001 prior to it being appealed to the OMB.

4. ANALYSIS AND OPTIONS

Approval by the Region in 1998 of the Town of East Gwillimbury's Official Plan was based upon a Growth Management approach that provided for growth in Holland Landing, Queensville, Sharon and Mt. Albert. Achieving the growth management strategy involves providing long term solutions for water, wastewater, and a transportation network to service the approved development.

Wastewater treatment will be provided for by the extension of the York Durham Sewer System, which will be initiated by a Pre-paid Development Charge Credit Agreement between the Region and the Queensville/Holland Landing Developers Group. Provision for water supply to service the Queensville/Holland Landing area is set out in the Region's Long Term Water strategy, which involves obtaining additional supply from Peel Region and improvements in the system from Vaughan to East Gwillimbury.

Meeting the Council approved transportation requirements remains a key issue prior to additional development occurring in the Queensville/Sharon area.

4.1 Extension of Water and Sewer to Queensville

At the Regional level, plans are progressing for the construction of the necessary water and sewer servicing infrastructure to accommodate the new development planned for Queensville.

On June 12, 2003 Regional Council adopted Clause 4 of Report No. 6 of the Finance and Administration Committee that recommends staff be authorized to negotiate terms of a Pre-paid Development Charge Credit Agreement for the extension of the York Durham Sewage System (YDSS) to service Queensville and Holland Landing. The report also recommended accelerated construction of the Queensville elevated tank to supply water to the two communities. Staff are currently discussing terms of the agreement with Metrus Developments Inc. and the primary developers in Holland Landing.

The timing of execution of the agreement cannot be determined at this time until issues regarding the 16th Avenue trunk sewer are resolved.

4.2 Transportation Options

Policy 11.2.6 of the Queensville Community Plan, quoted in Section 3.1 of this report, indicates no development shall take place until Highway 404 is extended or Regional road improvements are made to provide two additional lands of north-south road capacity. The policy was included at the request of the Region to ensure development in Queensville only occurs when sufficient road capacity is available.

To accommodate traffic for development of phase 1 of the Queensville community (maximum 1,000 units) consultants for Metrus Developments have identified some short term road improvements that could accommodate a limited amount of additional traffic until Highway 404 is extended.

Regional Transportation and Works staff have advised that improvements to the Regional road system in the corridor include:

- Installation of new traffic signals at the Warden/Davis Drive and Warden/Mt. Albert Road intersections, which could potentially redirect up to 350 vehicles per hour from the Leslie/Woodbine corridor.
- Opening up of the Green Lane West/ Bathurst St. bypass of northwest Newmarket in the Spring of 2004.
- Initiatives to increase car occupancy levels through car pooling/ride sharing. Increasing car occupancy from a 2001 rate of 1.21 persons to 1.35 persons could potentially take 980 cars off the roads during the morning southbound peak period.

Regional Transportation and Works staff estimate that bullet points 1 and 2 above, which are currently being implemented, would permit an estimated corridor capacity increase of only 200 to 300 vehicles. These improvements could permit additional development of up to approximately 600 residential units in the Keswick/Queensville corridor. Any proposed and draft approved development in the Keswick Community must be considered when determining where new development can occur, based on the additional road capacity.

Other measures and implementation of bullet point 3 are likely to be the key to improving traffic flow in the corridor which is now operating at capacity (service level E) south of Ravenshoe Road, and exceeding capacity (service level F) south of Mount Albert Road. Regional Transportation and Works staff will continue to meet with representatives of Metrus Developments Inc. and the Towns of Georgina and East Gwillimbury to determine if suitable measures such as car pool lots can be implemented to increase car occupancy to provide some relief of the level of traffic congestion in the corridor. At present, however, the proposed improvements will not add two additional lanes of capacity. The draft plan should not proceed until the policy objective is met.

4.3 Plan of Subdivision 19T-03001

Draft approval is being requested to facilitate the developer financing necessary for the extension of servicing. The development should be phased and directly linked to available:

- sewer capacity
- water capacity
- transportation capacity

Draft approval of plan of subdivision 19T-03001 should only occur once the Pre-paid Development Charge Credit Agreement is executed for the extension of the YDSS and construction of the Queensville elevated water tower.

Regional Transportation and Works staff will continue to work with staff from the Towns of Georgina and East Gwillimbury and traffic consultants from Metrus Developments Inc. to try to identify additional transportation improvements that could permit additional traffic capacity in the Leslie Street/Woodbine Avenue corridor.

Proposed development in Keswick will also generate traffic that will use the Woodbine/Leslie Street corridor. This proposed development, which consists of 5 draft approved plans of subdivision totalling approximately 716 units, should be taken into consideration when determining the ability of the Regional road network to accommodate additional development. In addition to the 716 units, further development may be granted servicing capacity once the Environmental Assessment is completed for the re-rating of the Keswick sewage treatment plant.

Draft approval of plan of subdivision 19T-03001 should only occur once the Regional Transportation and Works Department is satisfied that appropriate arrangements are in place to provide two additional north south lanes of traffic capacity in the Woodbine/Leslies Street corridor to accommodate draft approved development in Keswick and proposed development in Queensville.

4.3.1 Housing Mix

The proposed mix of 74 % detached and 26 % other is not in keeping with the Regional Official Plan objectives for transit supportive densities, healthy range of housing mix and affordability goals. The plan should be revised to better reflect the Region's objective of achieving a long term mix of 50 % detached and 50 % other types of housing. The applicant agrees that the implementing zoning by-law should allow for the development of both detached and semi detached units on lands designated for low density residential uses. This will provide a better housing mix in keeping with Regional objectives.

4.4 Core Area Buffer Policies

There are no lands within plan of subdivision 19T-03001 that are located within the Regional Greenlands System. Lands within the boundaries of the plan of subdivision identified for protection are located within the local Greenland system.

Regional staff support the position of the Town of East Gwillimbury regarding the size and location of the buffer areas. The Town of East Gwillimbury does not support the proposed amendment submitted by Metrus Developments that would:

- Remove minimum buffer requirements.
- Remove the policy requiring buffer areas be established from the drip line of trees.
- Establish the size of buffer areas based on further studies at the development approval stage.

Prior to the adoption and approval of the Queensville Community Plan, Michael Michalski Associates prepared a Natural Features Study for the secondary plan area. Recommendations of the Natural Features Study were incorporated into the adopted and approved version of the Community Plan. Section 9 of the Community Plan indicates that core areas include, but are not limited to, woodlots and contiguous minor plant communities consisting of large (10 ha or more) natural areas, habitats for Regionally rare flora, and woodlots providing interior forest habitat for wildlife. Policy 9.3.1. v) requires a buffer width of 10 m beyond the drip line of the trees for construction purposes.

The process for establishing the size and location of a 10 m buffer is consistent with the Sustainable Natural Environment policies of the Regional Official Plan. Policy 2.1.8 of the Regional Official Plan states that it is the policy of Council:

- 2.1.8 To encourage area municipalities to establish comprehensive Greenlands systems as an integral part of community design, recognize regional and locally significant greenlands and provide a framework for the implementation of these systems in a fair and equitable manner.

The position of the Town regarding the core area buffers is supported.

4.5 Relationship to Vision 2026

Goal 6 of Vision 2026 is “*York Region will grow at a pace that supports healthy communities, economic vitality, sustainable natural environment and effective community services.*” The recommendations of this report facilitate the implementation of Goal 6 by only permitting a phased approach to development once applicable servicing and transportation infrastructure are in place.

5. FINANCIAL IMPLICATIONS

Staff time and resources will be required to attend the Ontario Municipal Board. Further discussions will be held with the proponents and Town staff in order to resolve issues and avoid a lengthy OMB hearing.

Execution of the Prepaid Development Charge Credit Agreement is necessary and key to development proceeding in the Queensville and Holland Landing communities.

6. LOCAL MUNICIPAL IMPACT

On June 9, 2003 the Town of East Gwillimbury confirmed by Council resolution that:

- i. Section 11.2.6 of O.P.A. 89 was intended to require road capacity improvements by way of the extension of Highway 404 or, alternatively, to allow for a possible two-lane Regional Road within the Highway 404 alignment; and
- ii. Arrangements must be in place pertaining to such noted road capacity improvements prior to the development of any new residential units in Queensville, including the first phase as proposed by plan of subdivision application 19T-03001.

Town staff recently indicated that clause ii above must be satisfied prior to draft approval of plan of subdivision 19T-03001.

If additional road capacity, consistent with policy 11.2.6 of the Queensville Community Plan, cannot be provided for to the satisfaction of the Regional Transportation and Works Department, then development within plan of subdivision 19T-03001 must await the Highway 404 extension.

Regional staff will provide a list of Regional conditions of draft plan approval to the Town to be incorporated into a comprehensive list that includes all Town and agency conditions, which will be forwarded to the OMB. The list will be provided once all transportation improvements have been identified and confirmed.

This report is consistent with the position of the Town of East Gwillimbury regarding core area buffers.

7. CONCLUSION

The Ontario Municipal Board should be advised that draft plan approval of plan of subdivision 19T-03001 should only occur when the Pre-paid Development Charge Credit Agreement for the extension of the YDSS and provision of municipal water supply to the community of Queensville has been executed.

Further discussions are required between Regional Transportation and Works staff, representatives from the Towns of East Gwillimbury and Georgina, and Metrus Developments to identify transportation improvements that could accommodate additional development in the Leslie Street/Woodbine Avenue corridor. The Ontario Municipal Board should also be advised that draft approval for plan of subdivision 19T-03001 should only occur when arrangements are in place to the satisfaction of the Regional Transportation Department to provide for two additional north south lanes of traffic capacity.

The Town of East Gwillimbury's decision not to adopt an amendment to change their policies for core area buffers within the Queensville Community Plan is supported.

The Senior Management Group has reviewed this report.

(A copy of the attachment referred to in the foregoing has been forwarded to each Member of Council with the February 4, 2004 Planning and Economic Development Committee agenda and a copy thereof is on file in the Office of the Regional Clerk.)