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REFERRAL 'H' TO YORK REGION OFFICIAL PLAN AURORA 2C LANDS

The Planning and Economic Development Committee recommends the adoption of the recommendations contained in the following report February 7, 2006, from the Commissioner of Planning and Development Services:

1. RECOMMENDATIONS

It is recommended that:

1. Regional staff continue discussions with landowners/developers and consultants for the Aurora 2C lands to resolve issues and avoid an Ontario Municipal Board Hearing.
2. Regional staff review and comment upon the background studies for an urban boundary expansion, as set out in the Joint Submission Minutes included in *Attachment No. 1* to this report, with the intent of reporting in January 2007 to Regional Planning Committee for a public meeting and Regional Official Plan Amendment.
3. Regional staff be authorized to attend an Ontario Municipal Board Hearing in support of the Regional position, if necessary.

2. PURPOSE

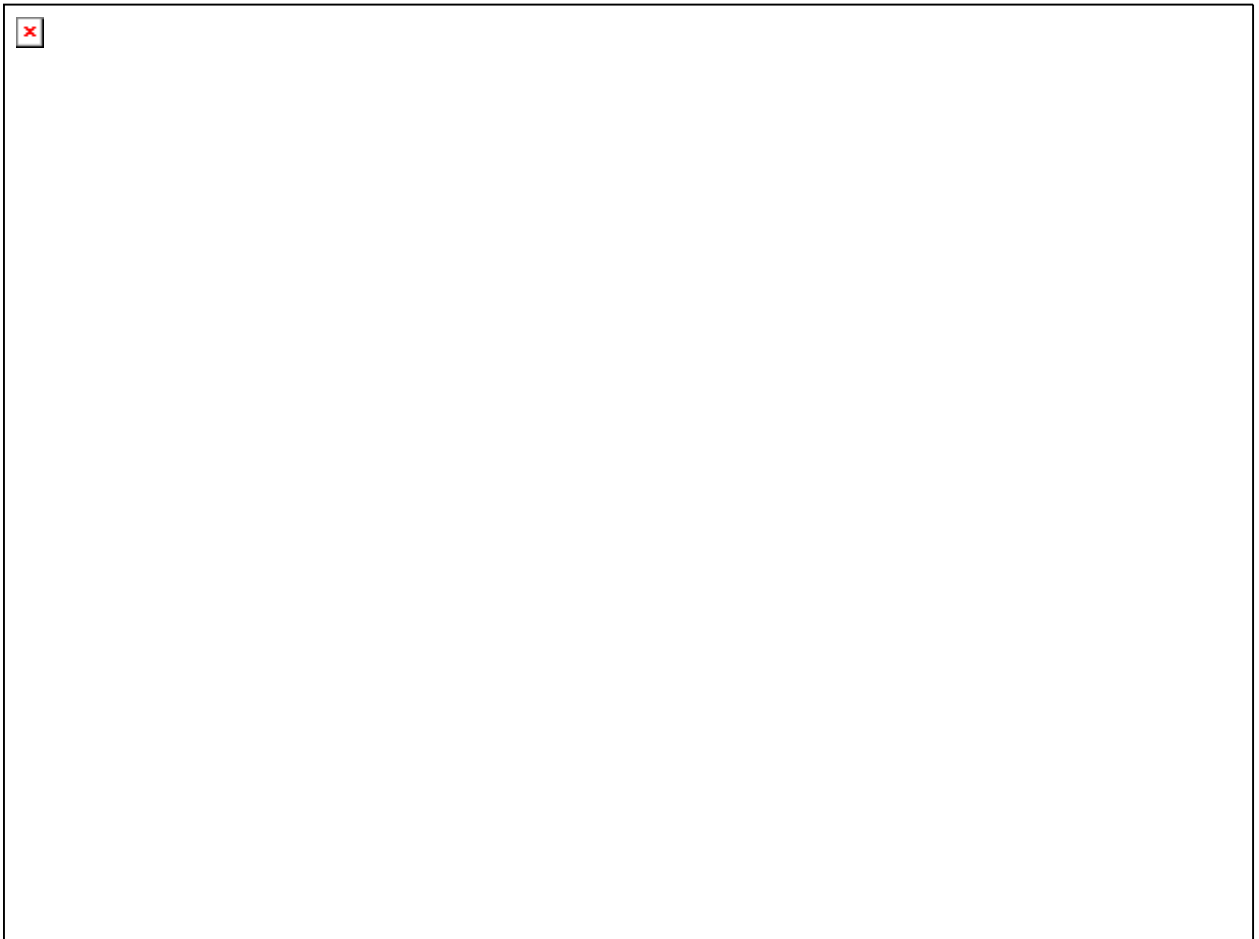
This report sets out:

- An agreed upon approach between the Town of Aurora, York Region staff and appellants to the Regional Official Plan on how to move forward with a Regional “Urban Area” designation for the Aurora 2C lands, located north of Wellington Street, east of Bayview Avenue (*see Figure 1*). The approach is described in the Joint Submission Minutes included as *Attachment No. 1* to this report.
- How recent Provincial initiatives including the draft Growth Plan affect the urban boundary expansion and planning approval process for the Aurora 2C lands.

3. BACKGROUND

3.1 Referral ‘H’ to the Regional Official Plan

Referral ‘H’ to the York Region Official Plan consists of approximately 83 ha (200 acres) of land located on the north side of St. John’s Sideroad, between Bayview Avenue



and Leslie Street in the Town of Aurora (*see Figure 1*). In September of 1994 the former owner of these lands, Quakers' Lundy Farm, requested a site specific referral to the Regional Official Plan to have their lands included in the urban framework of the Region. On March 22, 1996 Referral 'H' was forwarded to the Ontario Municipal Board by the Ministry of Municipal Affairs and Housing. The lands have subsequently been purchased by Mattamy (Aurora) Limited.

3.2 ROPA 3 and Aurora OPA 17

Since the late 1990's, owners of land located on the north and south side of St. John's Sideroad, in the northeast part of the Town of Aurora, have been pursuing urban designations at the Regional and local level by way of appeals to previous amendments authorizing urban boundary expansions, including Regional Amendment No. 3 (ROPA 3) and Amendment No. 17 to the Aurora Official Plan (OPA 17). These appeals include:

- one by Quakers' Lundy Farm and the another by Hill and Dale Farm, whose property is located on the south side of St. John's Sideroad between Leslie Street and Highway 404 (*See Figure 1*), to ROPA 3.

- one by Genest Murray DesBrisay Lamek, on behalf of Quakers' Lundy Farm, to Amendment No. 17 to the Aurora Official Plan (OPA 17), (*see Attachment No. 2*).

3.3 OMB Pre-hearings

An OMB pre-hearing was held on June 22, 2005 at which time the Town and Region advocated that development of the sites should be done in a comprehensive manner in accordance with Regional Official Plan policy. The Board agreed with the Town and Region; however the Board indicated that it "is anxious to see the matter advanced in a diligent and expeditious manner." The Board's Order noted that background studies for the 2C lands have been initiated and the planning process is well underway.

Another OMB pre-hearing tele-conference call was held on January 24, 2006 at which time the parties submitted "Joint Submission Minutes" that outlined an agreed upon approach to advance the matter in a expeditious manner. The Board endorsed the minutes, will be issuing its Order shortly and set a further pre-hearing for April 18, 2006.

3.3.1 Agreed Upon Approach

During the months of November and December, Town and Regional staff met to determine what studies were required to advance the matter in accordance with the OMB Order, and subsequently municipal legal and planning staff met with the appellants planning and legal consultants and agreed to "Joint Submission Minutes". The minutes contain among other things:

- A list of studies or updates to be completed by the Town to support the incorporation of the 2C lands into the Region's urban boundary.
- The Town agreeing to work diligently to complete the studies before June 30, 2006.
- The Region agreeing to review the studies and report to Regional Planning Committee in January 2007 with respect to a Public meeting in connection with a Regional Official Plan amendment for an expansion to the Region's urban area boundary.

4. ANALYSIS AND OPTIONS

The agreed upon approach set out in the Joint Submission Minutes provides the framework to consider designating the Aurora 2C lands "Urban Area" in the Regional Official Plan, resolve appeals to the Regional Official Plan, and move the planning approval process forward so that it can dovetail with the timing of servicing capacity which is expected to be available for the subject lands in 2010/11.

4.1 Recent Provincial Initiatives

The recently approved Provincial Policy Statement (2005), Greenbelt Plan, and the proposed Growth Plan all have an impact on the proposed urban boundary expansion.

4.1.1 Provincial Policy Statement

The Provincial Policy Statement (2005) came into effect on March 1, 2005 and applies to all applications commenced on or after March 1, 2005. All decisions on planning matters must be consistent with the Provincial Policy Statement (PPS).

There are a variety of policies in the PPS that are applicable to urban boundary expansions. These include, but are not limited to, Policy 1.1.3.9 which essentially indicates that an expansion to an urban boundary can only occur when a comprehensive review is carried out and the review demonstrates that opportunities for growth are not available through intensification, redevelopment and designated growth areas to accommodate the municipality's projected needs.

The Town has agreed to address the relevant Provincial Policies to support a Regional urban boundary expansion. The Town has engaged Hemson Consulting to update and complete the above noted work which it had undertaken in 2003 when expansion to the urban area was also being considered.

4.1.2 Greenbelt Plan

The Greenbelt Plan, which came into force and effect on February 28, 2005, provides clarity and certainty on the urban structure in the Golden Horseshoe area; where and how future growth should be accommodated and what lands should be protected. Schedule 1 of the Greenbelt Plan excludes the subject lands from the plan and as such one can conclude, based on Provincial policy, that the 2C lands are not intended to be protected long term and may be developed at some point in the future.

4.1.3 Places to Grow

The Ministry of Public Infrastructure Renewal issued an updated Growth Plan in November 2005 and the document is expected to come into force by the spring of 2006. It is not known at this time if the proposed Regional urban boundary expansion for the 2C lands will be subject to the policies of the Growth Plan, as transitional policies have not yet been issued; however it is considered good planning practise to consider the policies of the Growth Plan that deal with urban boundary expansions. Furthermore, in the future, when the Town or the landowners bring forward the related secondary plan documents, these will need to comply with the Growth Plan policies.

Section 2.2.8 of the Growth Plan deals with settlement area boundary expansions and lists criteria that must be addressed prior to an expansion. Included within the criteria is a requirement that greenfield development not adversely affect the achievement of intensification targets and density targets of the Growth Plan.

Prior to approval of the related secondary plan, the Town will need to evaluate its intensification opportunities to determine how much, and where intensification can occur. In the interim, prior to this study being completed, the Town has engaged Hemson Consulting to estimate intensification potential and prospective development yields on a

broader scale. The Hemson Consulting work will address the PPS requirement and set the stage for the more detailed work required by the Places to Grow plan.

4.2 Regional Criteria for Urban Area Expansions

Section 5.2.3 of the Regional Official Plan lists criteria that must be satisfied prior to adoption of a Regional Official Plan amendment for an urban boundary expansion. Requirements include, among other things, consistency with:

- regional population and employment forecasts
- the role of the new development lands identified in area municipal growth management strategies
- the capability of the area municipality to provide growth within the urban area
- the role of the development lands is supportive of an urban structure of centres and corridors with transit-supportive densities.

These matters are to be addressed by the work Hemson Consulting is doing for the Town.

4.3 Next Steps

Studies listed in the Joint Submission Minutes are expected to be complete by June 30, 2006 and reviewed by Regional staff in summer and fall. Once Regional staff are satisfied that the studies address the relevant Provincial and Regional requirements, the standard Regional practise for processing Regional Official Plan amendments will take place, which includes:

- i. Receiving a request from the area municipality to proceed with a Regional Official Plan amendment for an urban boundary expansion.
- ii. Scheduling and advertising a statutory Public Meeting.
- iii. Preparation of a draft Regional Official Plan amendment by Regional Planning staff.
- iv. Preparation of a report on the proposed Regional Official Plan amendment by Regional Planning staff that identifies comments received, any unresolved issues, and/or impact on Regional interests. The report is presented to Planning Committee at the same time the statutory Public Meeting takes place.
- v. Preparation of a subsequent Planning report to the next Planning Committee that provides a recommendation to Committee and Council on the disposition of the Regional Official Plan Amendment.
- vi. Council Decision.
- vii. Issuing of the Notice of Adoption/Decision by the Regional Planning Commissioner and passage of the 20 day appeal period.

4.4 Relationship to Vision 2026

Goal 6 of Vision 2026 states “*in 2026 York Region will have grown at a pace that supports healthy communities, economic vitality, sustainable natural environment and effective human services.*” This report sets the framework for an urban boundary expansion that will ultimately provide additional employment land, job opportunities, housing and protection of the environmental features.

5. FINANCIAL IMPLICATIONS

Agreement on Joint Submission Minutes has avoided an OMB hearing which would have required considerable staff time and resources.

6. LOCAL MUNICIPAL IMPACT

The recommendations of this report are consistent with the position of the Council of the Town of Aurora which adopted the following on November 1, 2005:

“That the Director of Planning request clarification and details from the Region of any outstanding compliance requirements supporting the incorporation of the Area 2C within the urban boundaries of the Town by Regional Official Plan Amendment and that Staff be authorized to take such action and proceed as required to achieve compliance therewith; and

That the Chief Administrative Officer and Director of Planning convene a meeting with representatives of the appellants and parties respecting outstanding appeal/referrals to Regional Official Plan Amendment No. 3 and Town of Aurora Official Plan Amendment No. 17 with a view to narrowing or eliminating matters before the Ontario Municipal Board for disposition.”

7. CONCLUSION

The Joint Submission of Minutes provide an agreed upon approach to settle appeals to the Regional and local Official Plans. Regional staff will undertake the review of the studies noted in the Joint Submission Minutes and intend on reporting to Planning Committee and Council in 2007 with respect to a Regional Official Plan amendment to expand the “Urban Area” boundary in Aurora.

If the agreed upon approach cannot be achieved, and the appellants proceed with site specific appeals, Regional staff should be authorized to appear at the OMB in support of

comprehensive planning consistent with provisions in the Regional Official Plan and Provincial Policy Statement.

The Senior Management Group has reviewed this report.

(The attachments referred to in this clause are attached to this report.)