

3

REPORT NO. 2 - CENTRAL PICKERING (SEATON) DEVELOPMENT PLAN

The Planning and Economic Development Committee recommends the adoption of the recommendations contained in the following report, March 8, 2006, from the Commissioner of Planning and Development Services:

(Regional Council at its meeting on April 27, 2006 adopted the following Clause and staff be requested to inform the Ministry of Municipal Affairs and Housing of Council's concerns with the lack of transportation infrastructure required to support the increase in the number of people expected to be travelling to jobs outside the Seaton area.)

1. RECOMMENDATIONS

It is recommended that:

1. Regional Council endorse the additional modifications on the Central Pickering (Seaton) Development Plan provided to the Ministry of Municipal Affairs and Housing from the Regional Planning Commissioner set out in *Attachment No. 1* to this report.
2. The Ministry of Municipal Affairs and Housing be requested to delay the approval of the Central Pickering Development Plan until the issues raised by York Region in its letter dated March 2, 2006 have been addressed to the satisfaction of York Region.
3. The Region of Durham and the City of Pickering circulate all plans of subdivision located within the Central Pickering Development Plan area to York Region for York Region's review and comment in order to ensure that development occurs concurrently with the required transportation and servicing improvements noted in *Attachment No. 1*.
4. The Regional Clerk forward a copy of this report to the Ministry of Municipal Affairs and Housing, Ministry of Transportation, Durham Region, City of Pickering, City of Toronto, and Town of Markham.

2. PURPOSE

The purpose of this report is to advise Committee and Council of the changes to the Central Pickering (Seaton) Development Plan that have occurred since April 6, 2005 when York Region's recommendations were forwarded to the Province, and to advise the

Province that its proposed modifications to the Development Plan do not sufficiently address the issues raised by York Region.

This report also seeks endorsement from Committee and Council on additional modifications to the Central Pickering Development Plan.

3. BACKGROUND

In 2004 and 2005, the Province released preliminary concepts for the development of a new community (Seaton), on approximately 4,860 ha (12,000 acres) of land located in Pickering. The proposal is being approved and developed under the authority of the Ontario Planning and Development Act, 1994 and is also part of the Province's land exchange which will transfer approximately 1,275 acres of provincially owned land to developers in exchange for lands located on the Oak Ridges Moraine. In April 2005, initial estimates for the community of Seaton were approximately 52,000 persons and 33,000 jobs.

3.1 York Region Recommendations

In April 2005, York Region provided a number of recommendations to the Ministry of Municipal Affairs and Housing with respect to the proposed Development Plan (*see Attachment No. 4*). Key issues included financial contribution, or a mechanism for York Region to obtain finances, for the necessary transportation and servicing infrastructure and the assurance that the infrastructure would be in service concurrent with the expected development. York Region requested that the Province take a leadership role in coordinating, implementing and funding the necessary infrastructure required to serve a new community of 52,000 persons and 33,000 jobs.

3.2 Plan Changes

In July 2005, the Province released the proposed Central Pickering Development Plan and posted it on the Environmental Bill of Rights (EBR) website. The July 2005 Plan proposed 60,000 persons and 30,000 jobs. A copy of the Land Use Plan is shown on *Attachment No. 3*.

On February 1, 2006, the Province issued modifications to the July 2005 Plan that increased the population to 70,000 persons and number of jobs to 35,000. The list of modifications is included as *Attachment No. 2* to this report.

3.3 York Region Planning Staff Letter dated March 2, 2006

When the Province issued its modifications on February 1, 2006, it provided a 30 day commenting period until March 3, 2006. To meet the 30 day commenting timeframe, the Regional Commissioner of Planning forwarded a letter to the Ministry of Municipal Affairs and Housing (MMAH) on March 2, 2006 requesting the Province delay the approval of the Development Plan, and extend the commenting timeframe so that

Regional Council could provide its position. The letter also included additional modifications to ensure York Region's interests are protected.

3.4 Durham Region Comments

On February 21, 2006 Durham Region requested that the MMAH delay the approval of the Central Pickering Development Plan until policies are included in the Plan that require:

- Completion of a Fiscal Impact Study and Financial Agreements.
- The Financial Agreements structured so that Durham Region is fully funded by the Province, or developers, for the entire infrastructure costs.
- Permission for infrastructure that will be located in the Natural Heritage System.
- Resolution of servicing for the Federal Airport lands.
- The 407 employment lands be fully serviced and released for purchase prior to any residential development in Seaton.

Durham Region also recommended the resolution of transportation issues, including the financing of proposed Highway 407 interchanges, the Highway 7 widening, expanded transit services for Central Pickering, and binding Agreements to address interregional transportation systems, prior to the approval of the Development Plan.

3.5 City of Pickering Comments

On March 6, 2006 Pickering Council adopted, with minor amendments, staff's report on the Minister's proposed modifications and recommended that the Plan be further modified to include a policy requiring the Minister to enter into a Memorandum of Understanding (MOU) and agreements with Pickering and other levels of government to provide financial assistance to ensure, among other things, the following:

- Provision of two new Highway 407 interchanges, construction of the Brock Road by-pass and the Brock Road/Highway 407 interchange, provision of appropriate regional and interregional transit service, extension of GO-Transit service, the widening of Highway 7, the construction of the Whitevale By-pass/14th Avenue connection and the widening of Steeles Avenue.
- Provision of sufficient lands for municipal facilities.
- Early servicing of Highway 407 employment lands.
- Adequate long term funding to maintain and manage the natural heritage system.
- Provision of sufficient lands to develop a university and a medical teaching hospital.

4. ANALYSIS

The Province's Central Pickering Development Plan is proposing a total of 70,000 persons and 35,000 jobs, which will require major improvements to the transportation network in both Durham and York Regions and major improvements to the servicing infrastructure. These improvements, which have been identified in staff's previous report adopted by Regional Council in April 2005, must be funded by the Province to ensure

their implementation. The improvements must take place prior to, or concurrent with, the timing of anticipated residential development within the proposed new community.

An important issue is the lack of transportation facilities in the southeast part of York Region to accommodate the proposed growth (*see Attachment No. 5*). The Transportation Study completed in support of the Plan only reflected the earlier proposed development level of 60,000 persons and 30,000 jobs. The Province's modifications propose a 17% increase in the level of development without the corresponding transportation analysis. The previous transportation study only identified the road and transit improvements in the immediate development area and did not analyse transportation requirements external to the study area, including those within York Region. This is a very significant shortcoming of the current transportation analysis, which needs to be addressed prior to finalization of the Plan.

Another important issue is the provision of adequate servicing capacity for the complete build-out of the community. Sanitary servicing capacity for 45,000 persons has been reserved for the "Seaton" community; however, expansion to the Duffin Creek WPCP is required to accommodate the 70,000 planned population target. As the Province requires the plant expansion to service its ultimate development plan, York Region encourages the Province to provide an expedited approval for the plant expansion to serve approved plan growth.

4.1 Additional Modifications

The Province issued modifications to the Plan and requested comments on the modifications by March 3, 2006. Regional Planning staff forwarded additional modifications to the Plan requesting the Province:

- Enter into a Memorandum of Understanding with York and Durham Regions and the City of Toronto to provide funding for transportation infrastructure.
- Include the following in the Province's 10 year capital plan:
 - widening of Highway 7
 - construction of ramps at the Highway 407/9th Line and Highway 407/Markham bypass
 - the planning and environmental assessment work for the northern Markham Bypass that will connect Seaton to the Highway 404 area.
- Commit to ensure that the required transit services are implemented at the same time development proceeds.
- Acknowledge the importance of the Markham Bypass/Morningside Avenue Highway 407-401 Link to the Seaton Planning area and support York and Durham Regions efforts to have this link constructed.
- Ensure the phasing plan does not permit residential development to proceed in advance of the implementation of the transportation improvements and permits development of employment land concurrent with residential land.

In addition to the above, Regional staff requested the Development Plan be modified to include a statement requiring plans of subdivision within the Plan area be circulated to York Region for comment and to ensure appropriate triggers are included in conditions of draft approval for the required infrastructure. For example, a condition of draft plan approval could require registration of the plan only upon the completion of the construction of the Highway 407 – Highway 401 Link.

The above noted additional modifications are set out in Attachment No. 1 to this report.

4.2 Next Steps

Staff of the Ministry of Municipal Affairs and Housing have advised that the following is likely to take place regarding the Development Plan:

- i. All comments and reports responding to the Ministry's proposed modifications will be reviewed by Ministry staff and the consultant engaged by the Province on this project.
- ii. Ministry staff may make further changes to the Development Plan based on the comments received.
- iii. Ministry staff will discuss any proposed changes with the Minister of Municipal Affairs and Housing.
- iv. After the above noted discussions, the Development Plan will be finalized.
- v. The final Development Plan is presented to Cabinet for approval. If approved, there is no appeal mechanism and the Plan comes into force on the day specified by Cabinet.

4.3 Relationship to Vision 2026

Goal 7 of Vision 2026 states: *"In 2026, York Region will have effective, efficient and environmentally sensitive transportation, waste management and water systems."* Action areas for Goal 7 include:

- *"Developing an integrated transportation network."*
- *"Ensuring that our transportation network coordinates with development."*

The recommendations of this report are consistent with the action areas of Goal 7 of Vision 2026.

5. FINANCIAL IMPLICATIONS

York and Durham Regions and the City of Pickering have all requested the Province contribute finances towards delivery of the necessary infrastructure. If the Province does not contribute sufficient funds, York Region staff will need to discuss strategies with Durham Region, City of Pickering, Town of Markham and the City of Toronto to determine how the interregional transportation and servicing infrastructure will be paid for and constructed. York Region may need to appeal development approval decisions to the OMB if the necessary infrastructure is not constructed.

Financial strategies may include the execution of financial agreements with developers to fund the required infrastructure.

6. LOCAL MUNICIPAL IMPACT

The land uses proposed by the Central Pickering Development Plan, located adjacent to the Markham town boundary, are compatible with the “Agricultural” designation on lands in the Town of Markham. The adjacent lands in the Development Plan are designated “Agriculture Preserve” and included in the “Protected Countryside” designation of the Provincial Greenbelt Plan.

Markham staff have acknowledged that the issues regarding the Development Plan are of a Regional scale and require the implementation of major transportation and servicing infrastructure. The Town of Markham is relying on the Region to convey this message to the Province on behalf of the Town.

7. CONCLUSION

York Region previously requested the Province take a leadership role to implement and fund the major transportation and servicing infrastructure required to service the anticipated development within the Central Pickering Development Plan area. Since that time, the Province has increased the anticipated population from 52,000 to 70,000 persons and employment projections from 33,000 to 35,000 jobs.

The Province recently released modifications to the Development Plan; however, these do not sufficiently address York Region’s issue(s). The final date to comment to the Province was March 3, 2006. On March 2, 2006 the Commissioner of Planning forwarded a letter to the Province requesting additional modifications, which include among other things, that funding be provided by the Province for major transportation infrastructure by way of a Memorandum of Understanding (MOU) between the Province, York and Durham Regions, and the City of Toronto. Other modifications require the Province to include specific infrastructure in their 10 year capital plan, and acknowledge the importance of, and support the construction of, the Markham Bypass/Morningside

Avenue Highway 407 – 401 Link. The list of additional modifications is set out in Attachment No. 1 to this report.

It is recommended that Regional Council endorse the additional modifications and indicate to the Province that approval of the Development Plan should be delayed until York Region is satisfied that its issues have been resolved.

The Senior Management Group has reviewed this report.

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