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PLANNING POLICY CONTEXT RELATED TO SERVICING COMMUNITIES OUTSIDE THE UPPER YORK SEWAGE SOLUTIONS SERVICE AREA

(Regional Council at its meeting on September 22, 2011 received this clause and referred it to the future Committee meeting at which the Environmental Assessment report on this topic is considered.)

The Environmental Services Committee recommends:

- 1. Receipt of the deputation by David Charezenko, on behalf of the Vandorf Employment Area Landowners Group; and**
- 2. Adoption of the recommendation contained in the following report dated August 31, 2011, from the Commissioner of Environmental Services and the Acting Commissioner of Planning and Development Services.**

1. RECOMMENDATION

It is recommended that Council receive this report for information.

2. PURPOSE

The purpose of this report is to provide planning policy context in response to a request made by the Environmental Services Committee in April 2011. A report on recent progress of the Upper York Sewage Solutions Individual Environmental Assessment will be presented to the Environmental Services Committee at a future Environmental Services Committee meeting this Fall.

3. BACKGROUND

When considering the report on the Upper York Sewage Solutions Project Update on April 11, 2011 at Environmental Services Committee, an additional recommendation was adopted, "Staff report back to Environmental Services Committee in the Fall of 2011 on the service implications for local municipalities as they relate to both sewage servicing solutions [Lake Ontario or Lake Simcoe based]." This report is intended to provide the servicing planning policy context for unserved communities outside the Upper York Sewage Solutions service area.

Existing planning policies for communities outside the Upper York Sewage Solutions service area provide direction for potential servicing

Existing planning policies for servicing, including those specifically from the Greenbelt Plan and Oak Ridges Moraine Conservation Plan, are presented in this report for information and as a basis for future consideration on long-term servicing of communities outside the Upper York Sewage Solutions service area. The purpose of the Upper York Sewage Solutions project is to provide sewage services for future growth in the Town of Aurora, Town of Newmarket and the central growth area of East Gwillimbury and, therefore, servicing of other communities outside the service area is not specifically considered as part of the Individual Environmental Assessment terms of reference approved by the Ministry of the Environment.

Based on criteria contained in the Lake Simcoe Protection Plan, the Water and Wastewater Master Plan update in 2009 generally identified a Lake Ontario solution with a connection to the York Durham Sewage System to service Aurora, Newmarket and central East Gwillimbury. This servicing concept, as for all projects identified in the Master Plan, is subject to a subsequent detailed Environmental Assessment process to finally determine how the servicing objective can best be met.

Through the ongoing Individual Environmental Assessment process, a new tentatively preferred alternative was presented at public forums in June 2011. This alternative involves a Lake Simcoe based solution with a water reclamation centre. In light of the two different alternatives, staff were requested by the Environmental Services Committee to provide information on planning policies for unserved communities that would have been in close proximity to a Lake Ontario based solution.

This report is presented as information on planning and policy implications of these two alternatives (Lake Simcoe and Lake Ontario based) on those communities outside of the Upper York Sewage Solutions service area located in relatively close proximity to a York Durham Sewage System extension with the Lake Ontario solution.

4. ANALYSIS AND OPTIONS

Planning policies for servicing the communities within the Upper York Sewage Solutions service area and the broader area shown on *Attachment 1*, apply in the same manner whether a Lake Ontario, or a Lake Simcoe, alternative is the preferred servicing solution for the Upper York Sewage Solutions. Both provincial legislation and Regional Official Plan policies provide direction for servicing which is outlined further below.

The Greenbelt Plan and Oak Ridges Moraine Plan policies provide basis for servicing policies outside urban areas

The Greenbelt Plan does not permit the extension of Great Lake or Lake Simcoe based water and sewage services, unless such servicing is required to address failed individual on-site sewage or water services or to ensure the protection of public health. This would apply to areas such as the Greenbelt portion of Vandorf/Preston Lake in the Town of Whitchurch-Stouffville.

The Oak Ridges Moraine Conservation Plan prohibits the construction or expansion of partial services (ie. only municipal water service without municipal sewage service or vice versa). It does not prohibit the extension of full Lake based services. East Gormley and West Gormley are subject to these policies.

The Lake Simcoe Protection Plan also provides policy direction for servicing the communities north of the Oak Ridges Moraine, but generally only regulates new sewage treatment plants and related setback distances.

The Regional Official Plan 1994 requires an Official Plan Amendment to extend York Water Services or York Durham Sewage System Wastewater Services

The Regional Official Plan (1994) requires that extension of sewer and water services beyond the Urban Areas and Towns and Villages areas identified in the Regional Official Plan require an amendment to the Plan, in addition to carrying out an appropriate environmental assessment. Hamlets were not anticipated to have full services given their rural character. The prohibition of partial services in the Oak Ridges Moraine is reflected in the Regional Official Plan (1994) policies.

The Regional Official Plan 2010 requires full municipal water and wastewater servicing to accommodate growth in the urban areas but does not anticipate full servicing for hamlets

The Regional Official Plan 2010 includes policies to provide full municipal water and wastewater servicing to accommodate growth in the Urban Area, and it reflects the servicing policies of both the Greenbelt Plan and Oak Ridges Moraine Plan. With urban areas developing as higher density compact communities, full servicing is the most appropriate servicing alternative.

Additional policies were included for smaller communities, such as Towns and Villages and Hamlets, which may be serviced by other alternatives if in keeping with Provincial legislation, local official plans, and based on the type of development. Expansion to urban land uses within Towns and Villages is intended to be on full services where they currently exist. Where local official plans permit minor infill in Hamlets on private individual wastewater systems, these systems will be permitted only if it can be

demonstrated to the local municipality that there are no adverse impacts on soil, surface or groundwater quality and quantity.

Both local and regional Official Plan amendments required to provide full services to a hamlet

Hamlets are intended for limited development which maintains the rural character of the community. Limited small-scale industrial, commercial and institutional uses may be permitted in local official plans, subject to the ability to service the growth by individual private on-site water and wastewater systems. In order to provide full services to a hamlet, both a local Official Plan amendment, and a Regional Official Plan amendment would be required and it would need to be in conformity with applicable Provincial legislation.

Implications to servicing communities outside the Upper York Sewage Solutions service area

The Upper York Sewage Solutions tentatively preferred alternative (Lake Simcoe Water Reclamation Centre) does not require an extension of the existing York Durham Sewage System north of 19th Avenue as was envisioned by the Region's latest Wastewater Master Plan update. Implications to servicing proposed communities outside of the Upper York Sewage Solutions service area that would have been in relative close proximity to the conceptual York Durham Sewage System extension are discussed below.

If a Lake Ontario based solution was the preferred solution, there was some anticipation that a Regional sewer could provide servicing alternatives for a number of communities that would have been in close proximity to a conceptual York Durham Sewage System extension. These communities are specifically West Gormley in Richmond Hill, and East Gormley and Vandorf-Preston Lake in Whitchurch-Stouffville shown on *Attachment 1*. The planning policies in both the local Official Plan and the Regional Official Plan are the primary determinant of the character of growth and the type of servicing required in keeping with all applicable legislation. As noted previously, these planning policies apply regardless of a Regional Sewage solution being in close proximity or not. The servicing options are outlined in the following text.

West Gormley is intended to proceed on full municipal services in the Town of Richmond Hill

West Gormley is located on the west side of Leslie Street north of Stouffville Road and is entirely within the limits of the Oak Ridges Moraine and it is designated "urban" in the Regional Official Plan. The area to be developed currently has no existing community.

Official Plan Amendment No. 237, Town of Richmond Hill, The West Gormley Secondary Plan: Section 5.2 Servicing Policies states that, "if the Upper York Sewage Solutions Environmental Assessment is not submitted by December 31, 2011 then the

means of servicing the lands may be determined by an environmental assessment specific to servicing the lands pursuant to the *Environment Assessment Act*.” With an accompanying municipal water supply, full municipal services can be provided with sewage conveyed to the York Durham Sewage System located at Leslie Street and 19th Avenue.

The Upper York Sewage Solutions Environmental Assessment is scheduled to be filed by December 2012. Consequently, a separate Class Environmental Assessment study for a local connection to the existing York Durham Sewage System can be commenced at any time after December 31, 2011.

Servicing alternatives can be explored in concert with a Local and Regional Official Plan amendment process

Should full municipal servicing of any of these hamlet lands be pursued in concert with the Official Plan Amendment processes, approvability will be driven by policies set out in the Greenbelt Plan, Oak Ridges Moraine Conservation Plan, as well as other provincial, regional and local planning policies. The Upper York Sewage Solutions tentatively preferred alternative, being a Lake Simcoe Water Reclamation Centre, neither precludes nor enhances approvability of servicing solutions for these areas.

East Gormley – Town of Whitchurch-Stouffville

East Gormley is located on both sides of Stouffville Road from Highway 404 to east of Woodbine Avenue and is entirely within the limits of the Oak Ridges Moraine. The area currently contains approximately 30 homes and some mixed industrial uses, serviced by private water and wastewater systems.

Official Plan Amendment No. 88 for East Gormley is an approved Secondary Plan that includes provisions to initiate appropriate studies for water and wastewater servicing.

Vandorf-Preston Lake - Town of Whitchurch-Stouffville

Vandorf-Preston Lake is located between Highway 404 and Warden Avenue and extends from Bloomington Road to north of Vandorf Road. This development is partially within the limits of the Oak Ridges Moraine. The area outside the limits of the Oak Ridges Moraine is regulated by the Greenbelt Plan. This area currently contains approximately 300 homes serviced by private water and wastewater systems, and some commercial/industrial uses.

Official Plan Amendment No. 120 for Vandorf-Preston Lake anticipated private servicing, accordingly, the approved Secondary Plan contains provisions to complete appropriate studies for private water and wastewater servicing that can be initiated at any time.

For the above communities, policies are already in place to address water and wastewater servicing to these areas. The Oak Ridges Moraine Conservation Act and Greenbelt Plan

govern the specific type of servicing required in these communities. These policies apply regardless of a Regional sewer solution. Servicing solutions for these communities are not precluded by the tentatively preferred alternative for the Upper York Sewage Solutions.

5. FINANCIAL IMPLICATIONS

Provision of municipal services will be subject to the environmental assessment process, which considers financial feasibility as part of the alternatives analysis. Fiscal impacts would also be part of any new Secondary Plan if a local municipality pursues a local Official Plan amendment or Regional Official Plan Amendment in this regard.

6. LOCAL MUNICIPAL IMPACT

Ways to servicing these communities in the long term are not precluded based on the tentatively preferred alternative identified for the Upper York Sewage Solutions. The two main alternatives being considered in the Upper York Sewage Solutions Individual Environmental Assessment also do not impact the current planning policies applicable to communities outside the service area.

7. CONCLUSION

The purpose of the Upper York Sewage Solutions Individual Environmental Assessment is to develop a sustainable sewage solutions to accommodate planned growth in the Towns of East Gwillimbury, Newmarket and Aurora. Current planning policies are not applied differently if a Lake Simcoe solution is preferred, over a Lake Ontario solution. Servicing solutions for these communities are not precluded by the tentatively preferred alternative for the Upper York Sewage Solutions. Should a local municipality wish to pursue a change in planning policy such as developing a Hamlet in an urban form with full services, the local and Regional Official Plan Amendment processes will need to be the vehicles of change.

For more information on this report, please contact Heather Konefat, Director of Community Planning at (905) 830-4444 Ext.1501 or Daniel Kostopoulos, Director of Capital Planning and Delivery, Environmental Services at Ext. 5070.

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause is attached to this report.)

