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ROPA 54 - A TECHNICAL AMENDMENT TO PROVIDE MINOR UPDATES TO REGIONAL OFFICIAL PLAN POLICIES AND MAPS RECOMMENDATION FOR ADOPTION FILE D05.102.54

The Planning and Economic Development Committee recommends the adoption of the recommendations contained in the following report dated July 25, 2007, from the Commissioner of Planning and Development Services:

1. RECOMMENDATIONS

It is recommended that:

1. The Commissioner of Planning be authorized to give Notice to Adopt Amendment No. 54 to the Official Plan of the Regional Municipality of York, as set out in *Attachment No. 1* to this report.
2. The Regional Solicitor be directed to proceed with the adopting bylaw for Regional Council's consideration on September 27, 2007.
3. Regional staff be authorized to appear at the Ontario Municipal Board in support of the Regional position, if required.

2. PURPOSE

This report:

- Summarizes the circulation comments received on Proposed Amendment 54 to the Official Plan for the Regional Municipality of York.
- Recommends modifications to clauses within the Amendment as a result of comments and review.
- Recommends adoption of the Amendment subject to the modifications.

3. BACKGROUND

Proposed Amendment 54 is a technical amendment to provide minor updates to Regional Official Plan policies and maps reflecting new information, changed circumstances and correct minor errors.

Planning and Economic Development Committee endorsed the initiation of ROPA 54 in April 2007 and held the statutory public meeting on June 13, 2007. Public notice for this meeting was given in local newspapers in York and in the Toronto Star, May 19 and May

20, 2007 respectively. A copy of the advertisement is appended as *Attachment 2* to this report.

No parties came forward at the public meeting to advise Committee of issues with the Proposed Amendment; however three parties involved in the North Leslie Ontario Municipal Board hearing in Richmond Hill, requested modifications to the portion of the Amendment dealing with the applicability of the Greenbelt Plan in areas adjacent to the Oak Ridges Moraine. These are discussed in Section 4.2 following. As well, prior to the public meeting Regional staff identified several modifications to the amendment and Committee at the Public meeting requested an additional modification. These modifications are also discussed in Section 4.2 below.

4. ANALYSIS AND OPTIONS

Regional Amendment 54 is intended as a technical amendment dealing with a number of minor items. The Amendment 54 was widely circulated and no agencies, boards or commissions have objected its adoption. Key comments received from agencies, local or adjacent municipalities are discussed below.

4.1 Comments Received from Circulation

Town of Richmond Hill

The Town of Richmond Hill, in a letter dated May 2, 2007 requested a change to policy 2.5.1 to permit home based businesses, home industries and bed and breakfast establishments in Natural Core Areas, Natural Linkages Areas and Countryside Areas. These uses are already permitted through the ORMCP and permitted within the Regional Official Plan. No modification is required to ROPA 54.

Town of East Gwillimbury

The Town of East Gwillimbury in preliminary comments dated March 26, 2007 and received prior to the Public meeting on June 13, 2007 advised:

- That the Bradford Bypass and Highway 404 extension north of Green Lane should be included.
- That the Green Lane Arterial should be designated a Regional Corridor.
- That that the industrial/commercial area on the east side of Yonge Street north of Green Lane should be designated Urban Area.

The Town raises a number of issues, some of which are appropriate to consider as part of the ongoing growth management discussions.

Refinement and updating of Highway 404 and the Bradford Bypass in the Regional Official Plan is proposed as a separate amendment, ROPA 58.

Redesignation of Green Lane as a Regional Corridor must be considered within the context for Regional Corridors identified in Section 5.5 of the Regional Official Plan.

Regional Corridors form key connections between Regional Centres and are considered major arteries of the Region's urban structure. Policies within Section 5.5 of the ROP indicate that the Region will, as requested by and in association with area municipalities consider extensions to the existing Regional Corridors system, within the overall context and purpose of Regional corridors. Given that the Region and East Gwillimbury are currently involved in growth management planning for the longer horizon, redesignation of Green Lane as a Regional or Local Corridor should be considered as part of those studies.

Similarly the extension of the Region's Urban Area designation to encompass the northeast corner of Yonge Street and Green Lane will be considered within the larger employment corridor study and Official Plan update currently underway.

City of Toronto

The City of Toronto, in advising that it had no objections to the Amendment, reiterated its opposition to the "technically preferred" alignment of the Markham By-pass, notwithstanding the Amendment provisions to reduce the planned basic road width of the facility to "up to 36 metres".

4.2 Requests for Modification of Amendment Provisions

North Leslie Secondary Plan Area

Solicitors representing three property owners within the North Leslie Secondary Plan Area in Richmond Hill (P. Foran, Aird and Berlis on behalf of E. Manson Investments, I. Kagan, Kagan Shastri on behalf of Mizrahi and Richmond Greenhouses and S. Rosenthal, Davies Howe Partners on behalf of Bayview East Landowners Group), made written representation requesting changes, as follows and underlined, to the Policy 2.5.1 additions (Amendment clause 1):

"Where lands are within the Oak Ridges Moraine Conservation Plan boundary, but below the 245 metre ASL CGD, the lands are deemed to be within the Protected Countryside and all of the policies of the Provincial Greenbelt Plan, 2005 apply to the lands in accordance with Policy 2.1 of the Greenbelt Plan. Notwithstanding this policy, for those lands within the Town of Richmond Hill, the Protected Countryside Policies only apply to those lands within major river valleys as described in the Greenbelt Plan and as identified through O. Reg. 13/06."

These changes do not change the substance of the clause. They clarify the Greenbelt Plan applicability within the North Leslie Secondary Plan Area. The proposed modifications have been circulated to Town of Richmond Hill staff who have no objection to the inclusion. Similarly Regional staff has no objection to the modifications which have been included in the revised Amendment appended as *Attachment 1* to this report.

Regional Modifications

Prior to the Public meeting and in reviewing the Amendment further, Regional staff also recommends several very minor modifications to policies. These involve syntax, spelling and more complete description of road section changes. These minor adjustments have also been included in *Attachment 1*.

Committee Modifications

Regional Planning Committee, during discussions at the Public meeting in June, resolved that “The approved alignment for the Highway 404 Extension north from Green Lane and the Bradford Bypass be shown on Map 9 through modification”.

Updating the Regional Official Plan to incorporate the more detailed alignment for these facilities involves slightly more than a change to Map 9. Additional changes are required to Map 5 and to the policy framework to provide context for these facilities in view of the long term construction timing of parts of their length. As well, since the detailed alignments were not part of the circulated and advertised version of ROPA 54, further public notice and circulation of the changes was required.

For these reasons, Regional staff has initiated Proposed Amendment 58. Introducing a new amendment has advantages. It has been less costly to advertise a smaller new amendment than a re-advertising the revised version of ROPA 54 and partitioning Highway 404 designation refinements into its own ROPA will allow a quicker approval of ROPA 54, which has already gone through circulation.

Notice of Proposed ROPA 58 was given in the Toronto Star and local newspapers in the early part of August and is the subject of a report and Statutory Meeting at Planning and Economic Development Committee meeting of September 5, 2007.

4.3 Consistency with Provincial Plans and Policy

Proposed Regional Amendment 54 has been assessed against current Provincial Plans (Growth Plan, Greenbelt and Oak Ridges Moraine Conservation Plan) and the Provincial Policy Statement. The Amendment is consistent with these upper tier plans and policies in that the majority of the proposed Amendment provisions are minor. A detailed assessment of the provisions of ROPA 54 against these plans and Policies is appended as *Attachment 3*.

The Ministry of Municipal Affairs and Housing required clarification of two sections of the Amendment vis à vis the Provincial Policy framework. The two sections deal with:

- the change to Policy 2.5.1 (*Attachment 1*, clause 1) to ensure that the special provisions of Greenbelt applicability in the North Leslie Secondary Plan lands were reflected. and
- the designation of the additional urban area east of Leslie Street and south of Green Lane and its status relative to the current Provincial Policy Statement and proclamation of the Growth Plan limiting urban expansions except through comprehensive growth management studies.

Modification to the Clause 1 of the Amendment for the North Leslie property owners addresses the issue relating to Greenbelt applicability in North Leslie.

On the second issue, Regional staff in consultation with East Gwillimbury staff has clarified the date of commencement of these to be before the latest *Planning Act* changes. The Ministry of Municipal Affairs and Housing has raised no further issues and has not identified objections to any provision in ROPA 54.

4.4 Requests for Notification of Adoption

Several parties have also requested Notice of the adoption of ROPA 54. These parties include Ms. Lyn Watt, IPlan Corporation, EMC Group, P. Foran, Aird and Berlis, I. Kagan, Kagan Shastri and S. Rosenthal, Davies Howe Partners. This report and attachments and notice of the Committee meeting of September 5, 2007 has been sent to all parties.

4.5 Relationship to Vision 2026

This Amendment is consistent with Vision 2026 as it updates the Regional Official Plan for accuracy.

5. FINANCIAL IMPLICATIONS

There are no identifiable financial implications associated with the adoption of this Amendment, unless the amendment is appealed to the Ontario Municipal Board. In that case Regional staff will report back to Committee and Council. Preparation of the Amendment and its subsequent incorporation of the provisions into the new consolidations of the Regional Official Plan are provided within existing Planning and Development Services Department staffing and budgets.

6. LOCAL MUNICIPAL IMPACT

The Amendment was circulated to local municipalities in York Region. None have indicated issues with adoption.

7. CONCLUSIONS

Proposed Regional Official Plan Amendment 54 has been circulated to agencies, boards, commissions, local and adjacent municipalities and no party has raised objections to its adoption and subsequent approval. Three municipalities (Richmond Hill, East Gwillimbury and the City of Toronto) raised issues that have been discussed in the body of this report. No modifications to the Amendment are recommended as a result of these comments.

No parties attended the Public meeting to make representation. Solicitors for three parties in the North Leslie Secondary Plan area in the Town of Richmond Hill requested modifications to clause 1 of the amendment. Town of Richmond Hill staff has no objection to the requested modification.

Regional Planning Committee in June, resolved that “The approved alignment for the Highway 404 Extension north from Green Lane and the Bradford Bypass be shown on Map 9 through modification”. This resolution has been accommodated by the introduction of Proposed Amendment 58 and the holding of a Statutory meeting on September 5, 2007 for that Amendment.

It is recommended that the Amendment, as set out in *Attachment 1*, be adopted by Regional Council.

For more information on this report, please contact Barbara Jeffrey, M.C.I.P., R.P.P., Manager Land Use Policy and Environment, Long Range and Strategic Planning Branch, at 905-830-4444 ext 1526 or barbara.jeffrey@york.ca

The Senior Management Group has reviewed this report.

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