

MEMORANDUM

TO: Members of Planning and Economic Development Committee

FROM: John Waller, Acting Commissioner, Planning and Development Services

DATE: September 7, 2011

RE: OMB Decision – Aurora 2C Secondary Plan (OPA 73)
Town of Aurora

This memorandum provides a brief overview of the key elements of the recently released Ontario Municipal Board (OMB) Decision and Order with respect to the Aurora 2C Secondary Plan (OPA 73). York Region presented a full case in this hearing in support of the position of the Town of Aurora, and in opposition to Aurora-Leslie Developments Limited and Robert G. Sikura.

On September 1, 2011, the OMB released its Decision and Order to approve in part the Town of Aurora's new Secondary Plan for the Aurora 2C Planning Area (see attached location map). The 2C planning area is the last greenfield area in Aurora and the primary issue before the OMB was whether the Town's plan for employment uses east of Leslie Street was more appropriate than the proposal by Aurora-Leslie Developments Limited consisting of $\frac{2}{3}$ residential uses and $\frac{1}{3}$ employment uses adjacent to Highway 404. Another issue was whether the "Sikura" lands in the north-east corner of the Secondary Plan should be residential or employment.

The Board's Order dismissed the appeals of Aurora-Leslie Developments Inc. and approved the Town of Aurora's Official Plan Amendment No. 73, save and except for the Sikura parcel, which was designated "Urban Residential" by the Board Order.

The following are key findings of the OMB in this matter.

Key Findings:

- With the exception of the Sikura lands, OPA 73 as adopted by the Town provides the best community plan for the entire Aurora 2C lands, ensuring that the fullest range of employment uses will be explored and long-term compatibility with residential uses located west of Leslie Street will be achieved;

- The proponent's plan for residential uses on the 6.9 hectare parcel at the north-east corner of the Secondary Plan (Sikura lands) is more appropriate than the employment uses shown in the adopted 2C Secondary Plan. The reasons included compatibility with existing residential uses in the Town of Newmarket and protection of an environmental feature;
- The Board upheld the Region's and the Town's population and employment growth forecasts and methodologies and noted that the OMB will not interfere with a "well-structured and comprehensively-planned growth management exercise to which the municipal, regional and provincial governments have all been parties". The Board determined that it will not "... overturn a planning process that has been lengthy, detailed and consultative, and one whose objective was to emphasize the importance of employment lands within a context of balanced community growth that encourages a complete community, intensification and the efficient use of infrastructure, among other things.";
- OPA 73 is consistent with the new York Region Official Plan (ROP) in ensuring the long term supply of employment lands;
- The new Regional Official Plan sets out clear policy direction for the appropriate amount of distribution by area municipality of employment growth to 2031 as the Growth Plan mandates and this distribution is based on the proximity of lands to other employment areas within the Town and the Region, the 400 series highways and their strategic location within the northern part of the GTA.

The appellant has the right to appeal the Decision and Order to the Divisional Court on a matter of law and/or the appellant may request that the Decision and Order be reviewed under Section 43 of the OMB Act. Therefore, there is the potential that a re-hearing could be ordered.

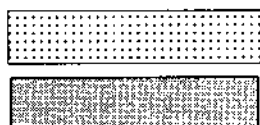
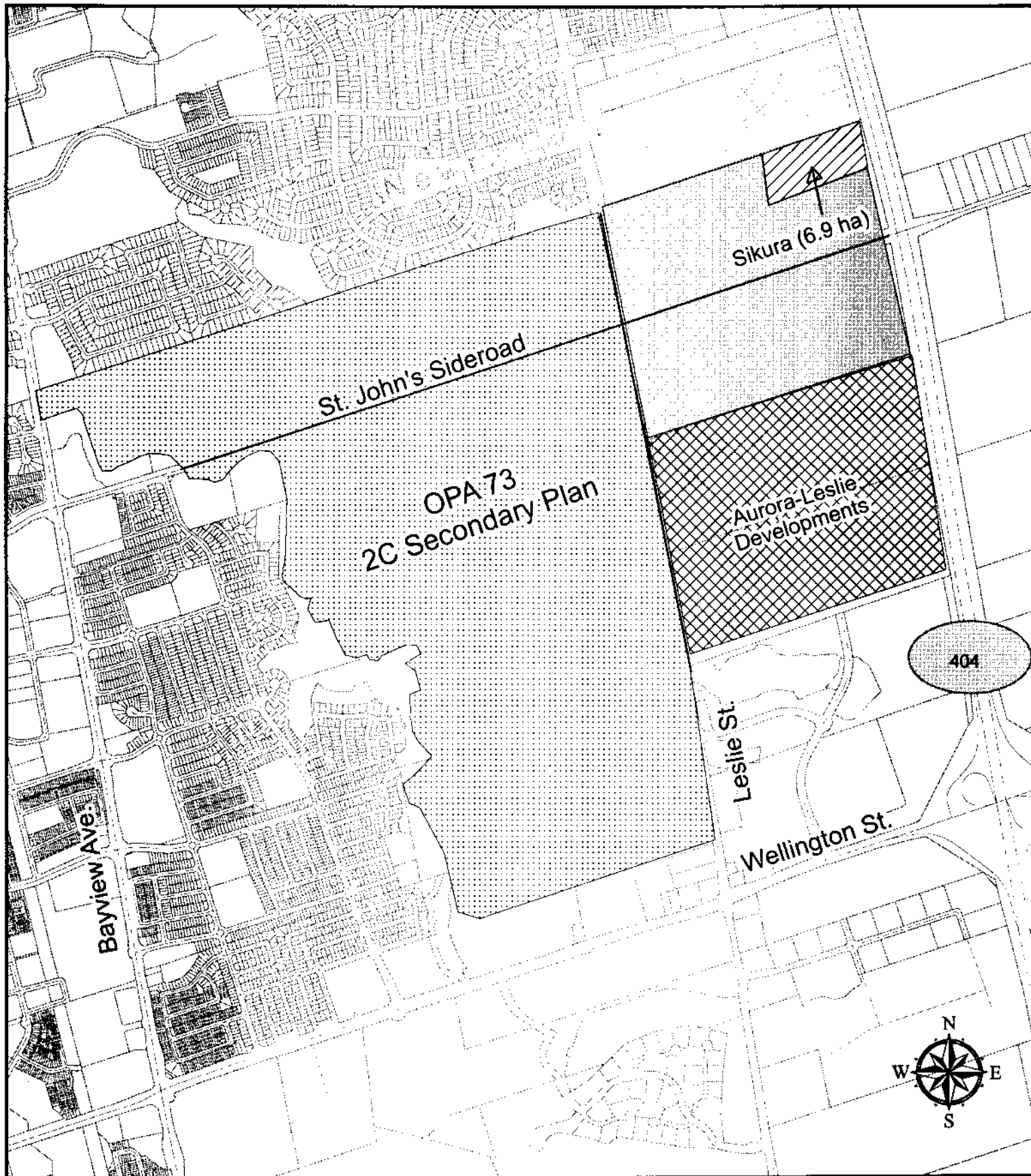
The decision by the OMB to approve the majority of the Town's adopted 2C Secondary Plan, as modified by the Region, represents a validation of the employment land budget and employment land protection policies of the new Regional Official Plan.

For more information on this memorandum, please contact Heather Konefat, Director of Community Planning, at Ext. 1502 or Gabe Szobel, Associate Counsel at Ext. 1433.



John B. Waller, M.C.I.P., R.P.P.
Acting Commissioner of Planning and Development Services

JBW/mm



Residential lands not in dispute

Employment lands not in dispute