

September 2, 2010

Submission Number
Do5.2009.001.3.007
Do5.2009.002.3.007
Do5.2009.003.3.007

Date of Submission:
August 23, 2010

Submission Author:
Ministry of Municipal Affairs and Housing

Comments or Requested Change to Proposed ROPAs 1, 2 and

Analysis and Recommendation

3

CONCLUSION:

Based on the analysis, it is recommended that the Region be advised that the proposed urban expansions require additional fine-tuning prior to them being adopted in order to ensure that they are consistent with the PPS and conform with Provincial Plans. Specifically, the Region should be advised:

RE: ROPA 1 – East Gwillimbury

These lands are located within the LSPP Area. This amendment is subject to the policies of the LSPPA and as such, among other policies which need to be complied with, if the additional growth must be accommodated through an increase to the rated capacity of an existing sewage treatment plant or a the establishment of a new sewage treatment plant, the Environmental Assessment of such an undertaking must be completed or approved prior to the adoption of this OPA.

Regional staff has discussed the issue of conformity with MMAH staff. For the detailed discussion see staff report September 8, 2010 entitled "ROPA 1, 2 and 3 Recommendation to Adopt Subject to Modification"

September 2, 2010

RE: ROPA 2 – City of Vaughan

The proposed expansion west of the 404 is located within the GTA west EA corridor. As per the proposed modifications to the new York Official Plan, any subsequent planning approvals related to such lands must be preceded with confirmation that such lands are not required for the purpose of the GTA West corridor and policies regarding the development of this area should be prepared in consultation with and to the satisfaction of the Province.

Regional staff has proposed a modifications to include and additional policy as follows, which satisfies the Ministry's issues with respect to the GTA West Transportation Corridor:

"7.2.6o That within Lot 29 and Lot 30 Concession 6, City of Vaughan, implementing local Official Plans and Secondary Plans for the lands shall include policies to protect the Future GTA West Transportation Corridor, to the satisfaction of the Province. These policies may include provisions for the phased release of lands, without amendment to this Plan, if such release does not preclude or predetermine the implementation of the transportation facilities within the Corridor."

RE: ROPA 3 – Town of Markham

The easterly portion of the proposed expansion area is located within the area of the Minister's Zoning Order 104/72. This zoning order explicitly prohibits the zoning of lands for anything other than an existing use or an agricultural use, building or structure. As such, until such time as these lands are removed from the MZO, these lands should not be included as part of the expansion area.

Regional staff has reviewed the Ministry's comments and the restrictions on the lands through the Minister's Zoning Order 104/72, the Provincial Policy Statement, the NEF contours prepared for the proposed Pickering Airport in the early 1970's by Transport Canada and the more recent GTAA Pickering Airport Site Study.

The Minister's Zoning Order was enacted in the early 1970's when both the anticipated function of the Pickering airport as an international airport as well as the noise characteristics of aircraft and noise abatement techniques were much different than today.

The GTAA report on the Pickering Airport indicates that that even if the airport is constructed, it is no longer being considered for an International facility, but rather for a Regional reliever airport, which will in turn affect the extent and level of the NEF contours once redrawn. The recent GTAA Pickering Airport Site

September 2, 2010

Study further indicated runway placement far to the east of the Town of Markham, which results in only a very small area in East Markham being subject to the 25 NEF contour level. The lands subject to this NEF and the interim airport protection zone do not extend into the proposed urban expansion lands.

Regional staff concludes that Minister's zoning order 104/72 is premised on antiquated information that should be updated. Policy 7.2.86 of the new York Region Official Plan encourages revision of the Minister's Provincial Zoning Order for the Pickering Airport site, in light of the current planning context and the Greater Toronto Airport Authority's Pickering Airport Draft Plan Report, 2004.

On the issue of changing land uses, Proposed Regional Amendment 3 does not in and of itself establish a change in land use. Without subsequent local official plan amendments/secondary plans, zoning bylaws and subdivision plans, no change in the actual land use can be implemented.

Regional staff therefore recommends that that a new policy 7.2.89 as follows, be added to the Regional Official Plan through modification requiring the removal or amendment of the Minister's Zoning Order prior to the approval of local secondary plans., and Ministry staff has been informed of this proposed clause.

"7.2.89 That within the portion of the urban expansion area in the Town of Markham subject to Minister's Zoning Order 104/72, secondary plans shall not be approved until the Minister's Zoning Order has been removed from the lands or amended to permit the proposed development."

Proposed ROPA 1 East Gwillimbury Urban Expansion to Adopted ROP 2009 - Submission Analysis
Proposed ROPA 2 Vaughan Urban Expansion to Adopted ROP 2009 - Submission Analysis
Proposed ROPA 1 Markham Urban Expansion to Adopted ROP 2009 - Submission Analysis

4

September 2, 2010

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August 23, 2010

Mr. John Waller, MCIP RPP
Director, Long Range And Strategic Planning Branch
Regional Municipality of York
17250 Yonge Street
Newmarket, ON L3Y 6Z1

Dear Mr. Waller,

Re: Proposed Regional Official Plan Amendments 1, 2, and 3
MMAH File No: 19-DP-1994-10012

Further to your request for comments regarding the above mentioned Regional Official Plan Amendments (ROPA), please find attached a Ministry staff report for your review and consideration.

These three ROPAs constitute urban boundary expansions within York Region and for the municipalities of East Gwillimbury, Vaughan, and Markham, specifically. These amendments are being initiated by the Region pursuant to its comprehensive review exercise associate with the adoption of the new Region of York Official Plan.

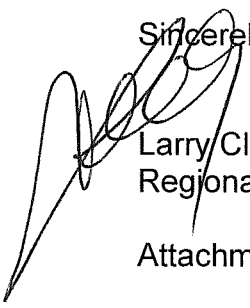
You will note in the Ministry Staff Report that we acknowledge the Region has undertaken a land budget exercise whose methodology is consistent with Provincial policy. However, prior to adoption, the Region should consider modifying these ROPAs with respect to the location, size and/or timing of approval, to address Provincial land use policies.

Ministry staff would be pleased to meet with you to discuss these matters further.

Thank you for the opportunity to comment on these important amendments.

By copy of this letter, please be advised that the Ministry would like to receive notice of adoption.

Sincerely,



Larry Clay
Regional Director

Attachment: Ministry Staff Report

c.c.: T. Merchant, MEI
M. Piccioni, MTO
T. Fancy, MNR
R. Valaitis, OMAFRA
D. Moszynski, MOE

MINISTRY STAFF REPORT

Planning System: Planning Act, Bill 51

File Number(s): 19-DP-1994-10012

Upper Tier: York Region

Municipality: York Region

Applicant: York Region

Date Rec'd by Ministry: May 13, 2010

Related Files: 19-OP-2009 (York Official Plan)

PPS Issues: Principally - Growth Management

Provincial Plans/Interest: Growth Plan, Greenbelt Plan, Lake Simcoe Protection Plan, GTA West Transportation Corridor, Ontario Regulation 104/72 (Minister's Zoning Order, Markham)

RECOMMENDATION:

Provide this staff analysis for York Region's consideration, prior to adoption of the proposed Regional Official Plan Amendments (ROPA) 1, 2, and 3.

PROPOSAL:

The Region of York has initiated 3 amendments to allow for urban expansions intended to accommodate 2031 forecasted population and employment needs. These amendments relate to lands in East Gwillumbury (ROPA 1), Vaughan (ROPA 2) and Markham (ROPA 3).

LOCATION:

Lands to be added to the urban area of East Gwillumbury are generally located south of the existing urban area to the northerly limits of the Town of Newmarket. (See Attachment 1).

Lands to be added to the urban area of Vaughan are generally located south of Kirby Road and north of Teston Road, in between Pine Valley Drive and Keele Street along either side of the ROPA 52 lands (which are located east and west of Highway 400). Although there is a Greenbelt finger within the described area, the urban expansion area does not include lands located within the Greenbelt Plan. (See Attachment 2)

Lands to be added to the urban area of Markham are generally located north of Major MacKenzie Drive, east of the current urban area boundary and west of the Greenbelt finger west of McCowan Road. Although there are Greenbelt fingers within the described area, the urban expansion area does not include lands located within the Greenbelt Plan. (See Attachment 3.)

BACKGROUND:

The Region of York adopted a new Official Plan on December 16, 2009. This new Official Plan is presently before the Ministry for approval. Ministry staff have been working closely with

Regional staff prior to and after adoption of the new Official Plan to ensure that completed background work meets with Provincial criteria and policy; and also to ensure that proposed policies are consistent with Provincial Policy Statement, 2005 (PPS) and in conformity with provincial plans such as the Greenbelt Plan, Oak Ridges Moraine Conservation Plan (ORMCP) and the Growth Plan. The preparation of a detailed Land Budget and Population and Employment forecast were important inputs in the development of this new Official Plan development. Staff from MMAH and the Ministry of Energy and Infrastructure (MEI) were consulted during the preparation and completion of those reports. Provincial staff concluded that the Region properly applied the policy direction of the Growth Plan and the Provincial Policy Statement. Specifically, the analysis applied the Provincial population and employment forecasts assigned to the Region, factored in the minimum intensification target of 40% within the built boundary, accounted for the UGC minimum density of 200 people and jobs per hectare and applied the minimum Greenfield density target of 50 people and jobs per hectare. To the Region's credit, in some cases the Region surpassed the minimum targets and as such is working to provide compact urban communities within the confines of the existing settlement area.

After completing the Region's land supply and land needs assessment, the Region concluded that there remains a shortfall of land to accommodate forecasted growth. Table 22 of the Region's updated Land Budget concludes that there is a 2474 ha. shortfall of urban land to accommodate population and employment needs to 2031. When netting out certain undevelopable lands ROPA's 1, 2, and 3 collectively represent a land area of 2,371.8 ha. As such, in March 2010, the Region introduced three municipally initiated urban boundary expansions in order to address the shortfall in community and employment land needs to provide for the forecasted growth. The urban growth areas proposed are located within the "whitebelt" (not presently urban and not located within the GB or ORMCP).

These amendments were prepared in consultation with staff from all 3 municipalities. East Gwillumbury recently adopted its new Official Plan which includes an urban boundary expansion that is co-incident with ROPA 1. The City of Vaughan presently has a draft new Official Plan which includes an urban boundary expansion that is coincident with ROPA 2. Markham staff have brought forward several reports to Council in this matter and continue to consult with the public regarding the urban boundary expansion land needs and location. In the case of both Markham and Vaughan, there is discussion regarding possibly increasing intensification within the existing urban area to offset urban boundary expansion needs. These processes may result in changes to the ROPAs prior to adoption.

CONSULTATION/CIRCULATION:

The proposed amendments were circulated to the following ministries for comment: Ministry of Energy and Infrastructure, Ministry of the Environment, Ministry of Agriculture, Food and Rural Affairs, Ministry of Transportation and Ministry of Natural Resources.

- In late April 2010, a draft version of the 3 ROPAs were circulated to the above One-Window partner Ministries for preliminary comments.
- Preliminary concerns were raised with respect to the designation of lands located within the Greenbelt Protected Countryside fingers that were adjacent to new urbanized areas. These comments were shared verbally with Region of York staff who then revised its maps to ensure that such "fingers" continue to be designated as Agriculture. MMAH staff also noted to the Region that part of the expansion lands in Markham are located on lands presently in the Minister's Zoning Order 90. Reg.

104/72) area, which only permits agricultural land uses. Finally, staff noted to the Region that the new urban area proposed for East Gwillumbury will be subject to the policies of the Lake Simcoe Protection Plan.

MINISTRY ASSESSMENT:

As noted above, the proposed amendments represent 3 urban boundary expansions to ensure forecasted population and employment related land uses can be accommodated for the next 20 years. These three amendments collectively propose to increase the urban area by 2,371.8 ha. The proposed expansions are consistent with the Growth Plan and PPS objective of making land available to accommodate population and employment needs for up to 20 years.

In assessing these proposed amendments, consideration has been given to the provincial policy direction outlined within the Provincial Policy Statement, 2005 as well as the Growth Plan, Greenbelt Plan, and Lake Simcoe Protection Plan. Consideration is also given to the provisions of the Minister's Zoning Order Ontario Regulation 104/72.

Provincial Policy Statement 2005 (PPS):

The PPS provides policy direction on land use matters that are of provincial interest. All planning decisions are to be consistent with the PPS.

The proposed urban expansions must be considered in light of all policies of the PPS, including those regarding the building of strong communities as well as those regarding wise use and management of resources and protecting public health and safety.

Sections 1.1 and 1.1.3 of the PPS direct that lands should be made available to accommodate up to 20 years of growth. The focus of this growth is intended to be through redevelopment and intensification and where that is not sufficient, consideration is to be given to the expansion of a settlement area. Such an expansion shall be allowed:

“only at the time of a municipal comprehensive review and only where it has been demonstrated that:

- a. sufficient opportunities for growth are not available through *intensification*, *redevelopment* and *designated growth areas* to accommodate the projected needs over the identified planning horizon;
- b. the *infrastructure* and *public service facilities* which are planned or available are suitable for the development over the long term and protect public health and safety;
- c. in *prime agricultural areas*:
 1. the lands do not comprise *specialty crop areas*;
 2. there are no reasonable alternatives which avoid *prime agricultural areas*; and
 3. there are no reasonable alternatives on lower priority agricultural lands in *prime agricultural areas*; and
- d. impacts from new or expanding *settlement areas* on agricultural operations which are adjacent or close to the *settlement area* are mitigated to the extent feasible.

In determining the most appropriate direction for expansions to the boundaries of *settlement areas* or the identification of a *settlement area* by a planning authority, a planning authority shall apply the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.”

As noted above the Region adopted its new Official Plan in December 2009. Prior to adoption, considerable work and effort was put in to update and/or prepare new background reports on all aspects of the Official Plan, including an analysis of its resources (including agricultural lands) and how to protect them, and analysis regarding forecasted population and employment growth, and an assessment of land available for growth both within and outside of its existing settlement areas. The analysis included a review of currently planned intensification opportunities as well as consideration for future intensification opportunities to meet or exceed the required 40% intensification rate. This analysis concluded that even through the application of intensification and greenfield density targets, there is an undersupply of urban land to accommodate projected growth.

The planning reports reviewed by the Ministry, to date, do not provide a detailed discussion on servicing. It is important to note that even though the majority of municipalities are serviced through Lake Ontario based servicing, a better understanding of future servicing costs and where the burden of payment will lie, is required. In the case of the East Gwillumbury expansion, servicing is accommodated by an in land lake (Lake Simcoe) where servicing is at capacity. As such, greater discussion and analysis regarding servicing is necessary.

As a result of the Greenbelt Plan and ORMCP, possible expansion areas are limited to “whitebelt” lands. These are lands not presently in the settlement area and are not located with the Greenbelt/Oak Ridges Moraine Conservation Plan Area. Per the Region’s recently concluded Land Evaluation and Area review (LEAR) analysis, almost all of these “whitebelt” lands are presently deemed prime agricultural lands. As such, there are no reasonable alternatives on lower priority agricultural lands.

The policies of the adopted Official Plan offer a number of policies regarding the protection of adjacent prime agricultural lands through mitigation and the phasing of development as well as the requirement to comply with the Minimum Distance Separation formulae for new land uses. Furthermore, the new York Official Plan recognizes on-going agricultural use of the new urban lands until such time as they are required for urban uses.

Through the recent completion of the comprehensive review, the Region has updated and defined its constraint mapping. Based on this information, certain lands within the amendment areas are being designated/identified for non-urban uses.

With respect to the East Gwillumbury expansion, these lands are subject to the Lake Simcoe Protection Plan which has more specific policy direction that needs to be addressed regarding servicing of the new lands, please see below.

With respect to the Vaughan expansion, it is important to note that the GTA West transportation corridor final alignment has yet to be determined and as such per the PPS (sections 1.6.4 and 1.6.5) and the Growth Plan, more detailed development approvals must await MTOs staging of its EA work. Through a Minister’s modification of the new York Official Plan, the Regional Official Plan will include policy direction to ensure that local Official Plans will protect for the GTA West transportation corridor, in consultation with the Province, and

ensure that the approval of development applications will neither predetermine nor preclude the planning and/or implementation of the facility. As such, development of the proposed lands will occur subject to the timing and outcomes of the GTA West Environmental Assessment.

Finally, as is noted below, the Town of Markham expansion must be evaluated in consideration of the airport Minister's Zoning Order. The PPS directs residential related development away from future airport facilities to ensure that development and the operation of such facilities is not precluded or predetermined.

Parts 2 and 3 of the PPS speak to the protection of resources and human health and safety. The Regional Official Plan contains policy which is consistent with the PPS in that regard. Through further planning applications, consideration will be given to those policies and the site specific characteristics of the expansion area. Already it is noted that the Region will not be permitting development of lands within the Region's natural heritage system, as such, these lands are excluded from the total developable land calculations of the ROPAs.

Growth Plan, 2006

The Growth Plan provides policy direction regarding growth and development to 2031 within the Greater Golden Horseshoe. The policy direction in the Growth Plan is generally more specific and/or detailed than the PPS. For example, in addition to growth management policies, the Growth Plan provides specific population and employment forecasts and targets that are to be implemented by the applicable municipalities. In the case of York Region, the Region is directed to plan for a forecasted population of 1.5 million people and 780,000 jobs to 2031. The Growth Plan also includes targets such as a minimum density of 50 people and jobs per ha. within designated Greenfield areas, a minimum intensification rate of 40% within the "built boundary," and a minimum of 200 people and jobs per hectare within identified urban growth centres.

The Region's land budget work demonstrates that these targets have been applied and in some cases exceeded, and yet there remains a land need to accommodate forecasted population and employment growth. The proposed urban expansions must meet the settlement area boundary expansion tests of section 2.2.8 of the Growth Plan:

- "2. A settlement area boundary expansion may only occur as part of a municipal comprehensive review where it has been demonstrated that –
 - a) sufficient opportunities to accommodate forecasted growth contained in Schedule 3, through intensification and in designated greenfield areas, using the intensification target and density targets, are not available:
 - i. within the regional market area, as determined by the upper- or single-tier municipality, and
 - ii. within the applicable lower-tier municipality to accommodate the growth allocated to the municipality pursuant to this plan
 - b) the expansion makes available sufficient lands for a time horizon not exceeding 20 years, based on the analysis provided for in Policy 2.2.8.2(a)

- c) the timing of the expansion and the phasing of development within the designated greenfield area will not adversely affect the achievement of the intensification target and density targets, and the other policies of this Plan
- d) where applicable, the proposed expansion will meet the requirements of the Greenbelt, Niagara Escarpment and Oak Ridges Moraine Conservation Plans
- e) the existing or planned infrastructure required to accommodate the proposed expansion can be provided in a financially and environmentally sustainable manner
- f) in prime agricultural areas:
 - i. the lands do not comprise specialty crop areas
 - ii. there are no reasonable alternatives that avoid prime agricultural areas
 - iii. there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas
- g) impacts from expanding settlement areas on agricultural operations which are adjacent or close to the settlement areas are mitigated to the extent feasible
- h) in determining the most appropriate location for expansions to the boundaries of settlement areas, the policies of Sections 2 (Wise Use and Management of Resources) and 3 (Protecting Public Health and Safety) of the PPS, 2005 are applied

Section 2.2.8 policies are not dissimilar from those of the PPS, as such the following discussion will focus on the additional criteria provided in the Growth Plan.

The land budget work presented by the Region demonstrates that even through meeting the Growth Plan minimum standards as it relates to intensification and density, there is a shortfall of urban land to accommodate forecasted growth. The proposed expansions are limited to accommodating growth to 2031, which is generally within the 20 year time frame identified in the Growth Plan.

The new York Region Official Plan contains policies which promote compact community development within the built up and Greenfield areas, for example, there are policies which require:

- the phasing of land development such that the development of these new expansion lands is not permitted until such time as 75% of the existing new greenfield lands are complete/registered,
- development standards for new community areas that are more oriented to compact, complete community development than those required for the existing Greenfield areas, and
- the re-examination of secondary plans that are not built out in order to determine if 50 people and jobs in the developable area can be achieved.

Furthermore, through a Minister's modification, policy is being added to the Plan to recognize *Planning Act* tools which allow municipalities to revisit plans of subdivision where approval has lapsed; municipal councils shall consider opportunities to ensure that such plans achieve the growth management targets of the official plan. As such, there is sufficient policy within the

Official Plan to ensure that development of these lands does not occur prematurely, that Growth Plan intensification and greenfield targets are met, and that the overall provincial objective of developing compact, complete communities is advanced.

The new Official Plan also provides policy regarding the preparation and implementation of master environmental servicing plans, mobility plans, and human services strategy. As noted above, greater discussion with the Region is required to better understand the extent of study that has taken place to date regarding the servicing of these proposed expansions to better understand how the Growth Plan and PPS policies have been addressed.

In determining the amount of land required to be contained within the expansion area, the Region has considered policy 2.2.7.3 of the Growth Plan which provides how the achievement of Greenfield density is to be measured. The Region has also taken into consideration the methodology used in developing the built boundary. As such, the Region has identified an area of land which is developable and sufficient to meet the growth needs; however, further analysis may be required regarding the servicing of these new lands, as is noted above in the PPS section of this staff report.

Greenbelt Plan, 2005

The Greenbelt Plan generally directs growth to settlement areas. Specific policies in the Greenbelt Plan prohibit the expansion of urban areas into the Greenbelt. Policies also limit the redesignation of agricultural lands once the rural and agricultural land use designations have been defined within the Regional Official Plan. The proposed ROPAs are limited to whitebelt area and as such do not attempt to include Greenbelt lands. Furthermore, in conformity with the Greenbelt Plan, for lands located within Greenbelt fingers where urbanization is proposed on either side, the ROPAs do not propose to redesignate such “fingers” to a non-agricultural land use.

Lake Simcoe Protection Plan (LSPP)

The LSPP applies to lands within East Gwillumbury. Given that these amendments will be adopted post the Plan’s transition date, they are subject to the LSPP and future approvals related to these lands will be subject to the LSPP. At this stage it is important to note, the LSPP requires that where there is a need to increase the existing rated capacity of a sewage treatment plant or the establishment of a new sewage treatment plant to service the expansion area, an environmental assessment of the undertaking shall be completed or approved prior to giving any approval for the proposed expansion.

Through a Ministers modification to the new York Official Plan, a policy clarification has been made to ensure that development of the new expansion area within the LSPP area (should the servicing test noted above be met) will be subject to the policies of the Plan.

Minister’s Zoning Order (MZO O. Reg 104/72)

As noted above the proposed Markham expansion overlaps with lands located within Minister’s Zoning Order (see Attachment 4). This Order was placed on these lands to protect for the future airport proposed to locate in Pickering. The Order states:

“3. No land shall thereafter be used and building or structure shall hereafter be erected or used except in accordance with the terms of this Order, but nothing in this Order prevents the use of any land, building or

structure for a purpose prohibited by this Order if such land, building or structure was lawfully used for such purpose on the day this Order comes into force, or prevents the erection or use of any building or structure the plans for which have, prior to the day this Order comes into force, been approved by the Town of Markham. O. Reg. 104/72, s. 3.

4. Every use of land and every erection or use of buildings or structures within the Town of Markham is prohibited except, agricultural uses, and buildings and structures accessory thereto, including one single dwelling used in connection with each agricultural operation. O. Reg. 104/72, s. 4; O. Reg. 492/90, s. 2.”

Given the prohibitions of the Order, until such time as these lands are removed from the Order, these lands should not be a part of the expansion area.

Analysis:

The Region has concluded through its municipal comprehensive review that there is need for more urban land to accommodate forecasted employment and population needs. The analysis undertaken to determine where the growth should go and by how much, appears to be thorough and to meet the policy objectives of the PPS and Provincial Plans. However, there are matters of Provincial interest which should be taken into consideration prior to adoption of the ROPAs, and in order to address these matters, modifications need to be made to all of the proposed amendments in terms of the extent of the lands to be included and/or the timing of the amendment approval.

CONCLUSION:

Based on the foregoing, it is recommended that the Region be advised that the proposed urban expansions require additional fine-tuning prior to them being adopted in order to ensure that they are consistent with the PPS and conform with Provincial Plans. Specifically, the Region should be advised:

RE: ROPA 1 – East Gwillumbury

These lands are located within the LSPP Area. This amendment is subject to the policies of the LSPPA and as such, among other policies which need to be complied with, if the additional growth must be accommodated through an increase to the rated capacity of an existing sewage treatment plant or a the establishment of a new sewage treatment plant, the Environmental Assessment of such an undertaking must be completed or approved prior to the adoption of this OPA.

RE: ROPA 2 – City of Vaughan

The proposed expansion west of the 404 are located within the GTA west EA corridor. As per the proposed modifications to the new York Official Plan, any subsequent planning approvals related to such lands must be preceded with confirmation that such lands are not required for the purpose of the GTA West corridor and policies regarding the development of this area should be prepared in consultation with and to the satisfaction of the Province.

RE: ROPA 3 – Town of Markham

The easterly portion of the proposed expansion area is located within the area of the Minister's Zoning Order 104/72. This zoning order explicitly prohibits the zoning of lands for anything other than an existing use or an agricultural use, building or structure. As such, until such time as these lands are removed from the MZO, these lands should not be included as part of the expansion area.

The Ministry would like to discuss and understand the servicing analysis that has been undertaken to date for all 3 ROPAs to ensure compliance with the PPS and LSPP, as applicable.

As is noted in the background section of this staff report, consultation is on-going at the lower tier level regarding these expansion areas and an interest at the lower tier level to increase intensification. An increase in intensification would offset the amount of expansion lands needed. As such, York Region Council should consider the outcome of such consultation in its deliberation on the proposed amendments. Further to this, it should be noted that through vigorous implementation of the growth management policies, as noted in the Growth Plan section of this report, the land need may be off set for a period of time beyond 2031. As such, it may be appropriate for the Region to monitor policy performance, especially as it relates to intensification and redevelopment, for a period of time, prior to urbanizing new land.

Finally, it is important to note that the Region is not obligated to ensure that the full 20 year supply of land to meet the forecasted growth is presently designated. Both the PPS and Growth Plan use language which suggests that lands should be available for **up to** 20 years. Consequently, the Ministry would support the Region should it decide to take more time to fine tune the total land needs and exact location.

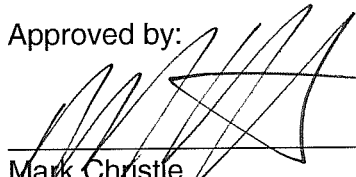
Prepared by:



Sybelle von Kursell, MURP, MCIP, RPP
Team Lead, Senior Planner

Date: 08-17-10

Approved by:

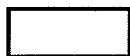
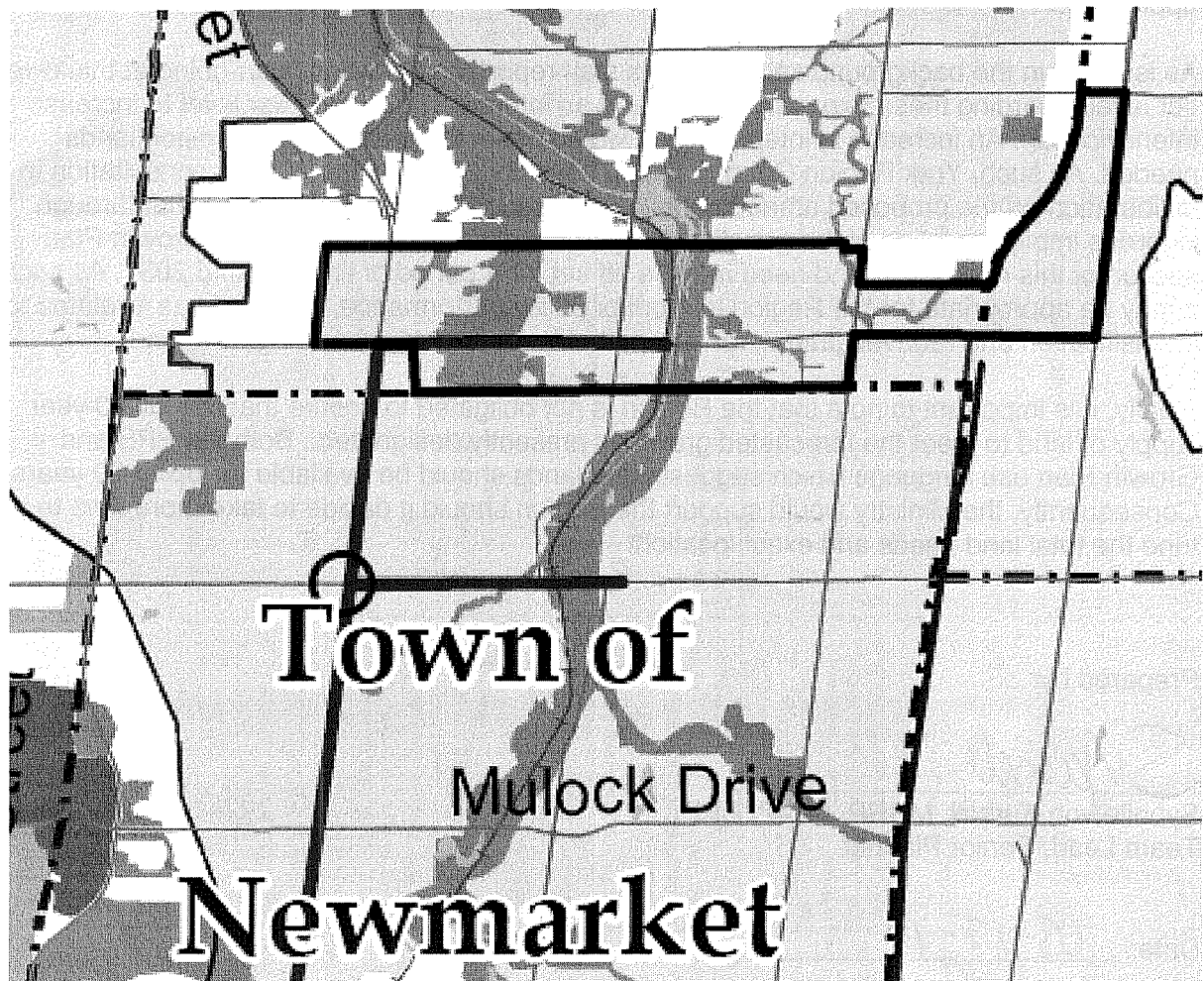


Mark Christie
Manager, Community Planning and Development

Date: Aug 17. 2010

ATTACHMENT 1

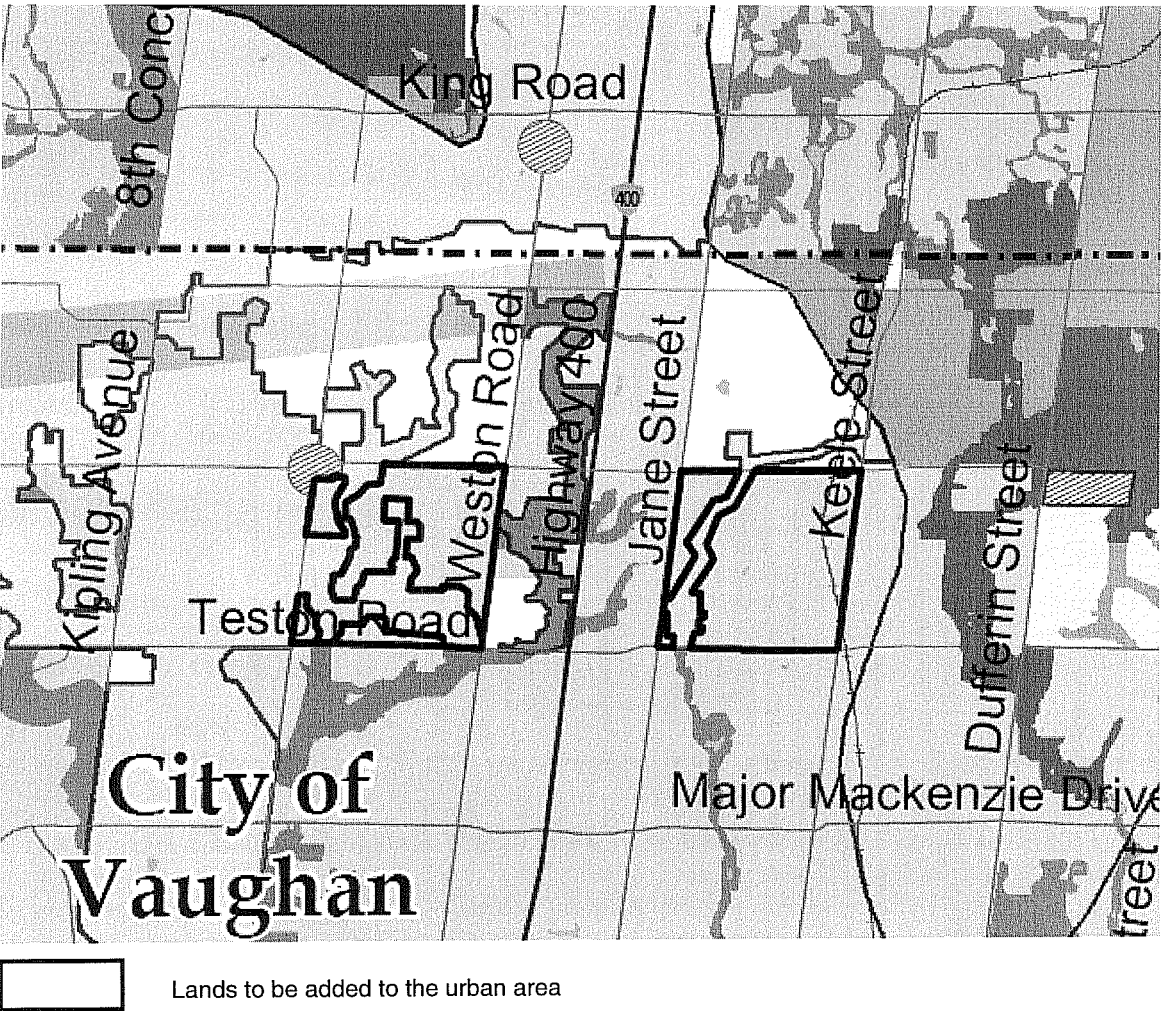
ROPA 1 – East Gwillumbury



Lands to be added to the urban area

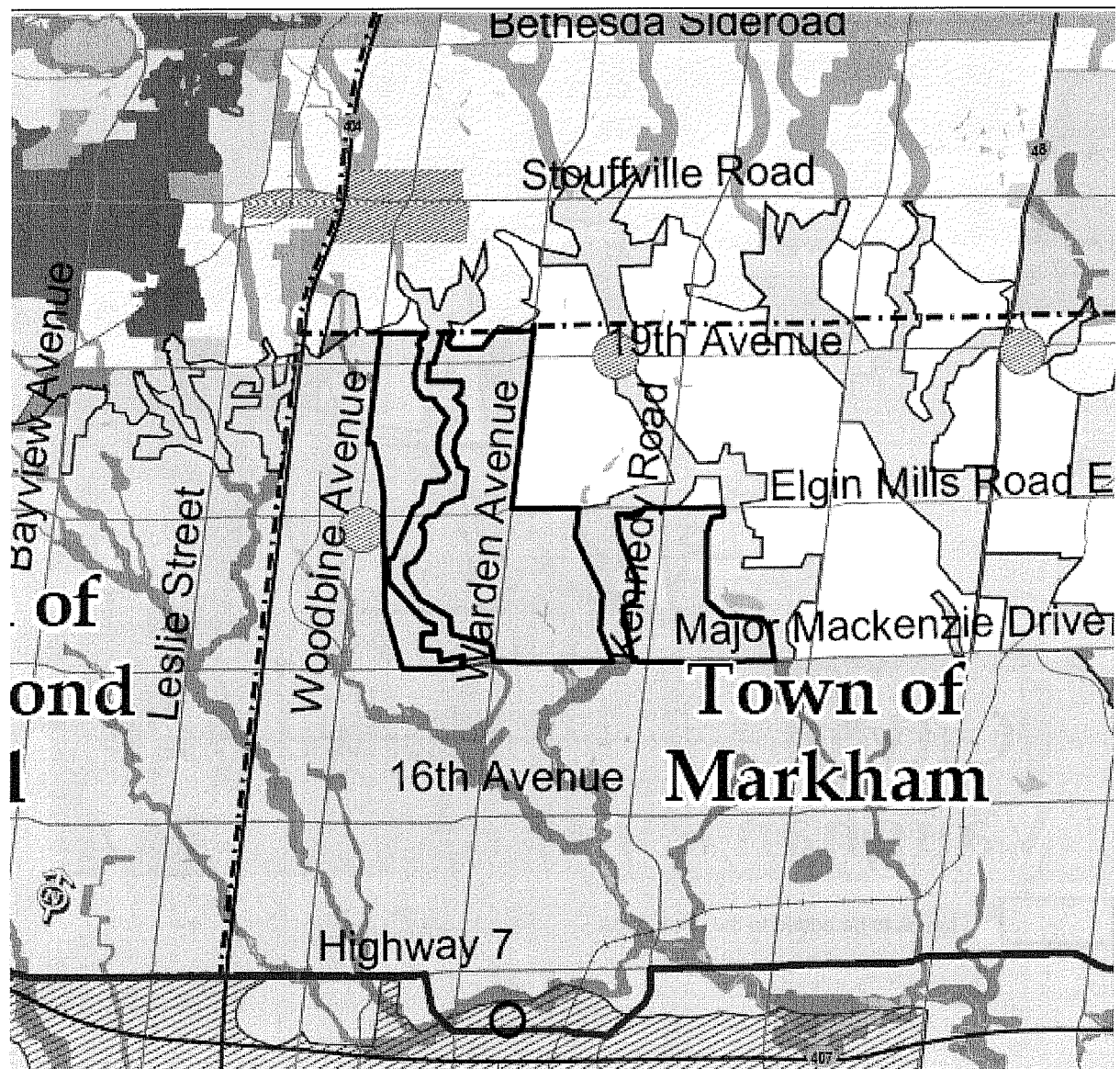
ATTACHMENT 2

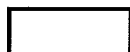
ROPA 2 – City of Vaughan



ATTACHMENT 3

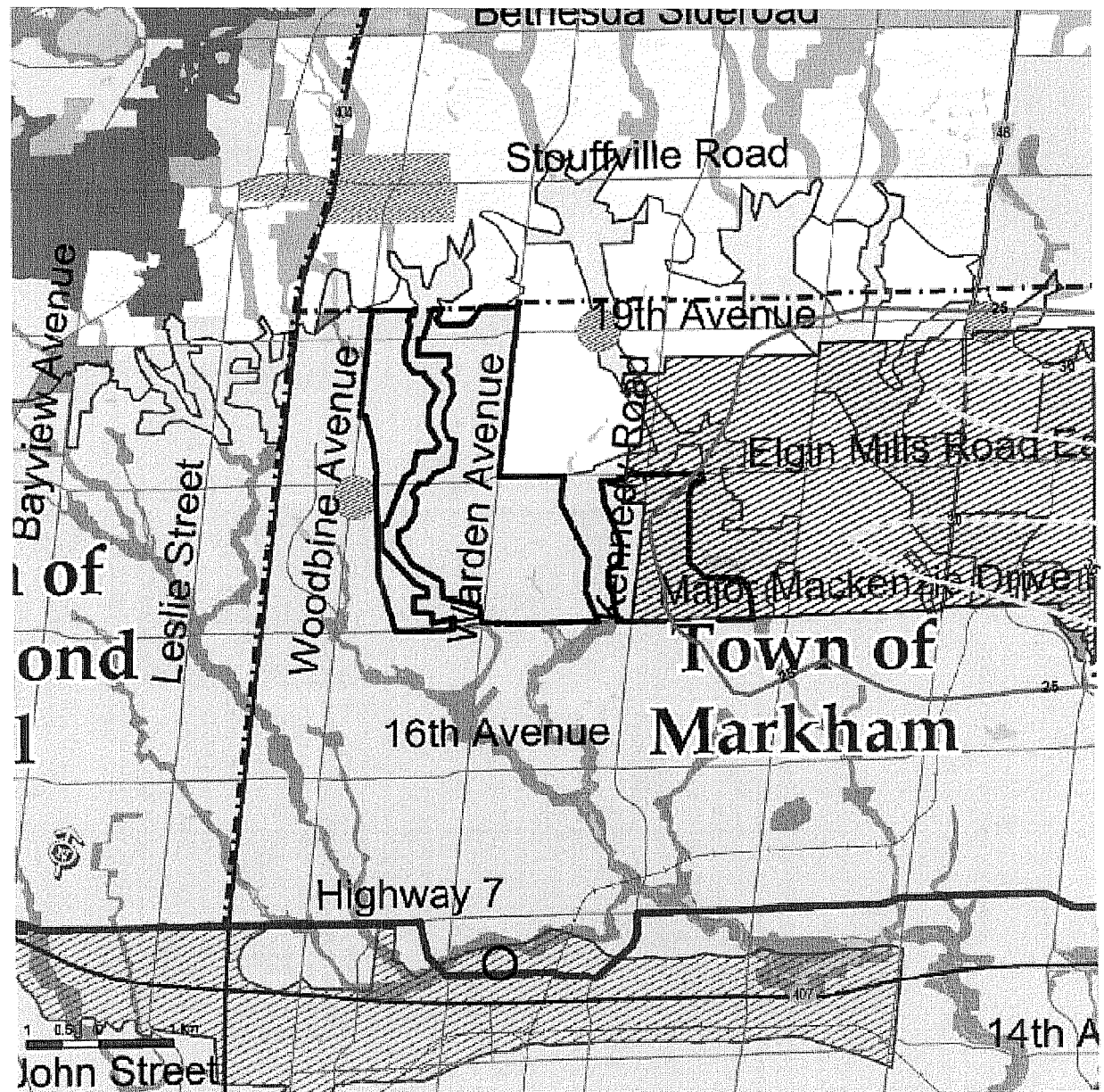
ROPA 3 – Town of Markham



 Lands to be added to the urban area

ATTACHMENT 4

Minister's Zoning Order (O. Reg. 104/72) and ROPA 3 (Markham expansion area) overlap



-  Lands to be added to the urban area
-  Lands subject to Ontario Regulation 104/72

Submission Number D05.2009.001.4.001 D05.2009.002.4.003 D05.2009.003.4.001	Date of Submission: June 18, 2010	Submission Author: Jim Robb on behalf of the Rouge Duffins Greenspace Coalition
Delegation at Statutory Meeting	June 16, 2010	Jim Robb

Comments or Requested Change to Proposed ROPA 1, 2, and 3

As a former Vice Chair with the Ontario Environmental Review tribunal and a long time Rouge Watershed conservationist, I have carefully reviewed the York Region Urban Expansions proposed by your staff. The proposed urban expansions are unscientific, unsustainable and contrary to the *Planning Act* and associated Provincial Policy Statements.

Attached please find:

1. My detailed written submission to York Region regarding proposed Urban Expansions citing Provincial Policies and scientific reports;
2. A TRCA graph showing exponential increases in E.coli bacteria in local water ways as urban expansion occurs;
3. A slide presentation graphically highlighting the points in my written submission.

Background Planning Staff reports and TRCA Watershed reports show that:

1. Urban Expansion will increase traffic more than the No urban expansion options;
2. Urban Expansion will increase taxes more than the No urban expansion options;

Analysis and Recommendation

York Region's municipal comprehensive review included the completion of forecasting and land budget work, a Regional Intensification Strategy, a comprehensive public consultation exercise throughout 2006 to 2009, infrastructure master plan updates for transportation, and water and wastewater and an updated Natural Heritage Strategy.

A thorough and detailed land budget report was made available in March, 2010. The Region's land budget is a key component of the regional municipal comprehensive review and Growth Plan conformity exercise. Detailed consultations were held with provincial staff on the land budget methodology and assumptions.

The land budget work included:

- The use of the Growth Plan's forecasts, densities and intensification for York Region.
- The completion of an intensification strategy that identifies a minimum 40% residential intensification target between 2015 to 2031, and plans for 88% of residential growth and 83% of employment growth to occur in existing Urban Areas.
- An assessment of the available residential and employment

3. Urban Expansion will increase water and air pollution more than the No urban expansion options.

To Plan for Sustainability and avoid digging York Region taxpayers deeper into financial and environmental debt, York Region Council should:

- 1) Vote "No Urban Expansion" until the province and federal governments fund the necessary transit and infra-structure improvements;
- 2) Insist on a 30 to 40% provincial growth target reduction to avoid the need for Urban Expansion.

Other Municipalities like Waterloo have seen citizen uprisings which have successfully insisted on "No Urban Expansion" by voting for community leaders who place Voters' interests ahead of developers' interests.

Re: Regional Official Plan Amendments - Urban Expansions (19OP-2009 -001, 002 and 003)

Dear Chairman Fisch and York Region Council:

Over the last year, ratepayer and environmental groups have worked to increase public awareness and involvement in the crucial planning for Markham's future. A record breaking 1000 people attended Markham Council's February 16, 2010 public meeting.

Unfortunately, on May 11, 2010, Markham Council voted (7 to 6) to expand the urban envelope despite massive public opposition and abundant evidence that urban expansion would harm water and air quality, increase taxes and traffic, increase flooding and erosion, and pave 9 to 10 square kilometres of Class 1 farmland. Councillors Carolina Moretti and Gord Landon cast the deciding votes in favour of urban expansion. These Councillors acknowledged that they have sons working for developers with property in the potential urban expansion area. They did not declare a **conflict of interest**.

land supplies and demonstration of the need for a proposed urban expansion, and;

- A demonstration of how the minimum designated greenfield area density target of 50 people and jobs per hectare is to be achieved.

A portion of the Whitebelt is required to accommodate the York Region's forecast growth. The Regional Official Plan and the urban area expansion Amendments ROPA's 1,2,3 implement the results of the regional municipal comprehensive review.

The boundaries for the urban area expansion amendments are:

- Clearly defined (i.e. concession streets, major natural features, utility corridors)
- Contiguous expansion to urban area
- Large enough for new generation of planned communities (block plan, secondary plan process)
- Consistent with local priorities

The Region will carefully monitor the pace and nature of intensification and growth.

I firmly believe that the Markham Urban Expansion Plan proposed by York Region is unscientific, unsustainable and contrary to the *Planning Act* and associated Provincial Policy Statements.

Planning Act Context *Decisions of planning authorities “shall be consistent with” provincial policy statements.* **Urban Expansion - Contrary to Provincial Policy Statement for Water Protection**

Provincial Policy Statement 2.2.1 states: *Planning authorities shall protect, improve or restore the quality and quantity of water by: a) using the watershed as the ecologically meaningful scale for planning; and b) minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts.* The TRCA's 2007 Rouge River Watershed Scenario Modeling and Analyses Report concludes:

“meeting water quality targets will become an increasingly distant goal as the footprint of development expands”

Section 4.2.9 Summary and Conclusions

As the urban envelope expands, E. Coli and chloride levels exceed provincial standards Section 4.2, Figures 4.2-6 and 2.8

“Several studies suggest that the maximum impervious cover that a watershed can withstand before experiencing **severe hydrologic changes and consequent geomorphic and ecological impacts** is approximately 10%. “The Main Rouge subwatershed has been subject to significant urbanization with an approximate total impervious cover of 18% as of 2002.” Rouge River Report Card (2007) Key Findings - Surface Water “middle tributaries (Markham communities) would be subject to **major hydrological impacts**” **if the urban envelope is expanded** S. 4.1.49 - Rouge River Watershed Strategy and Implementation

A significantly enhanced Regional Natural Heritage System has been identified and protected through the Regional official Plan. The Regional Greenlands System is an essential component of a sustainable approach to growth and development in York Region, and it ensures that important natural areas are protected in a linked system of features.

In Markham, the Regional Greenlands System is based on the Province's Greenbelt Natural Heritage System, and lands identified as Natural Heritage Network through Markham's Environmental Policy Review and Consolidation Study to date.

Plan Scenario Modeling and Analysis Report “The best results for the terrestrial ecosystem would be achieved if the expanded natural vegetation cover plan (TRCA) was implemented and new urbanization only occurred within current official plan boundaries.” Rouge River Watershed Plan 2007, page 94

Unrealistic Promises of Future Mitigation Effectiveness and Associated Taxpayer Burden

The TRCA Rouge Watershed Strategy and related reports predict adverse water quality and quantity impacts with urban expansion, even with the best foreseeable (not necessarily achievable) impact avoidance and mitigation measures. Developers and their consultants can promise advanced methods for protecting water quality and quantity, however, their track record proves that such promises are unrealistic and unachievable. In fact, developers go to great lengths (OMB appeals, parkland trade-offs, political pressure) to reduce development charges and environmental protection standards, once their land is designated and zoned. Twenty years ago, stormwater ponds were touted as the answer to the protection of water quality and the avoidance of flooding and erosion. Despite some benefits from such ponds, erosion and water pollution have increased with urban expansion. In addition, mitigation measures like stormwater ponds require ongoing maintenance and investment. Such mitigation measures have an ongoing cost which municipalities often defer to control tax increases, leading to reduced mitigation effectiveness and increasing pollution over time.

The Regional Official Plan requires that the new community areas be planned in a comprehensive and coordinated manner which includes a comprehensive Master Environmental Servicing Plan. These plans will examine all water systems in a comprehensive and integrated manner to:

- a. understand the integration of all water systems to increase efficiencies;
- b. maximize water conservation in buildings and municipal infrastructure, including water-efficient landscaping and rainwater collection for reuse; and,
- c. minimize stormwater volume and contaminant loads, and maximize infiltration through an integrated treatment approach, which may include techniques such as rainwater harvesting, runoff reduction of solids and materials at source, phosphorus reduction, constructed wetlands, bioretention swales, green roofs, permeable surfaces, clean water collection systems, and the preservation and enhancement of native vegetation cover.

York's Growth Plan - Contrary to Broad Public Support for Local Foodland Protection

According to the Key Findings of Markham's Agricultural Assessment (2009) The land base in the rural area of Markham is comprised of prime agricultural land as defined in the Provincial Policy Statement (PPS) with the majority of the land qualifying as Class 1. Class 1 land is a limited, non renewable resource in Canada comprising only 0.5% of the Canadian land mass. Markham enjoys a climate that supports higher productivity and longer growing seasons which when combined with the soil resource, allows a flexible and diverse production profile.

Commodities such as fruit and vegetables, which are difficult to grow in less temperate areas, grow well in Markham. Between 2001 and 2006, the amount of farmland in Markham declined by 43% as compared to York

Region at 5% and Ontario at 1.5%. Provincial Policy Statement 2.3.1 states: *Prime agricultural areas shall be protected for long-term use for agriculture.*

With the growing public support for local food production and the importance of local food security in a time of climate change and population growth, it makes no sense to pave-over some of the finest foodland in Canada, in one of our best climate zones, within our most populous region. Provincial Policy Statement 1.3.9 does allow the designation of a settlement area within an agricultural area where it has been demonstrated that a) sufficient opportunities for growth are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the identified planning horizon; and b) "the infrastructure and public service facilities which are planned or available are suitable for the development over the long term and **protect public health and safety**".

York Region conducted a LEAR (Land Evaluation and Area Review) study in support of the Regional Official Plan. This resulted in a change to the Rural and Agricultural lands within the Region. The Regional Official Plan recognizes the importance of Agriculture to York Region's economy and culture, and provides protection for 77,000 ha of Agricultural Land, representing 43% of the Region, with policies to support the Region's Speciality Crop areas within the Holland Marsh and local agriculture. The Plan also provides policies to support Agricultural uses within the urban expansion areas until such time as these lands are converted to urban uses.

Urban Expansion – Contrary to the Protection of Public Health and Safety

The proposed expansion of Markham's urban envelope is contrary to public health and safety. Scientific research and monitoring clearly shows that urban expansion would lead to increased E. coli bacteria and pollution in our water and increased flooding and erosion damage in vulnerable downstream Markham

communities. For example, the TRCA's 2007 Rouge Watershed Report Card and Rouge Watershed Strategy Scenario Modeling and Analysis Report, state:

“middle tributaries would be subject to major hydrological impacts under OP build-out and full build-out conditions” ... Page 4.1.49

.... **“future urbanization will increase the magnitude and duration of erosive flows in receiving watercourses**

despite the use of current extended detention criteria to control runoff from more frequent events”. *Page 4.1-43* “Given the HSP-F modeling results and the findings of other researchers, there is some doubt as to the whether stormwater management ponds based on synthetic design storms are sufficient to fully mitigate the effects of urban development on flooding under real world rainfall (snowmelt, ice and debris blockages) conditions.”

Flooding - Page 4.1.38

“flood-vulnerable roads (129) and flood vulnerable areas (533 properties and/or buildings) remain in the Rouge River watershed. The majority of these are located within the Town of Markham, along the Main Rouge River The relatively flat topography and the lack of valley definition of the Rouge River and its tributaries as the river flows east-west through Markham make this area particularly vulnerable to flooding.”

“Over 500 flood vulnerable areas within Markham would be expected to be inundated during the Regional Storm (Hurricane Hazel) and a number of roads and homes are

While the Rouge Watershed plan acknowledges that there is a correlation between bacteria in streams and urbanization, this doesn't impact aquatic health however, it could impact the recreational use of water. Drinking water is treated to ensure safe drinking water supply.

predicted
to flood in flows as low as the 2-year flood event.”
Rouge River State of the Watershed Report (2007) Page 5-25
Many scientists are observing and predicting significant increases
in the frequency and intensity of severe storm events and
flooding due to global warming. Given the TRCA's recent Rouge
Watershed Report findings and the increasing frequency of
severe storms and flooding, the currently envisioned expansion
of Markham's urban
area is unscientific and unwise. It lacks the due diligence
required to avoid costly damage to public health and safety, and
downstream private properties, homes and public infrastructure.

Unwarranted Employment Land Expansion onto Farmland

Below please find three statements from Markham's May 2009
Employment Lands Strategy: 1) “Markham's existing commercial
land supply could physically support all the new retail
development
warranted by growth to 2031.” 2) “Markham currently has an
industrial (employment) land supply of approximately ... ±485
net hectares ... vacant or underdeveloped.”
3) “In more recent years, (industrial) land development trends in
Markham have compressed somewhat, falling to between 22 to
25 hectares per year.” With an average recent uptake rate of 24
hectares per year and 485 hectares of vacant or under-
developed land, Markham already has approximately 20 years of
industrial land supply and “enough commercial land to support
the new retail development warranted by growth to 2031”. As
the three factual statements above reveal, there is little
justification for expanding the urban envelope and paving more
of Markham's irreplaceable farmland to pad Markham's existing
inventory of employment lands. Excess supply leads to inefficient
use and waste.

To respect the principles of sustainability, land conservation and leadership, York Region and Markham need to find ways to provide employment without paving more of Canada's finest farmland. After all, farmland is employment land, and it does not require expensive servicing and infrastructure. In the future, the movement

back to diverse and community supported agriculture (CSA) will enhance the already significant employment, economic and community benefits of Markham's farmland. Existing employment lands can be expanded upward (more floors) and downward (underground parking) to conserve and efficiently utilize land. Changes to bylaws could allow greater site coverage in some cases.

Mixed commercial residential developments offer great potential for efficient land use. There are many creative opportunities for additional employment lands within the existing urban envelope (60% of Markham's existing land base). There is no pressing need to swallow-up and destroy more farmland by expanding the urban envelope.

Expansion of the Greenbelt in Markham Represents Good Planning

Professor Mike Bunce, a rural geographer and former Greenbelt Advisory Panel member, has written to support the expansion of the Greenbelt in Markham. As Professor Bunce notes, the addition of Markham's remaining farmlands to the Greenbelt would promote good planning by:

- a) Protecting land surrounded by Rouge North Greenbelt corridors, - a logical Greenbelt addition;
- b) Protecting local foodlands of higher quality than most of the land within the Greenbelt;
- c) Retaining countryside buffers between Rouge North Greenbelt corridors and urban areas;
- d) Increasing residential and commercial densities within the

The Greenbelt (including the Oak Ridges Moraine) in York Region accounts for 69% of York Region's land base, and includes a 600 metre wide corridor for the Little Rouge River as the main ecological corridor, between Lake Ontario and the southerly boundary of Oak Ridges Moraine Area, as well as several other Rouge River tributaries.

existing urban envelope, an approach consistent with *Places to Grow Act* and sustainable community design.

Conclusion:

In his 2006/07 Annual Report, Ontario's Environmental Commissioner notes:

"The province established population projections for some communities subject to the Growth Plan, before assessing the related water and wastewater infrastructure needs, their associated costs and environmental impacts. **This puts the cart before the horse.**many parts of Southern Ontario have reached their capacity to accommodate additional infrastructure, housing and human populations." If Markham's Growth allocation is reduced from 151,000 to 110,000 and/or if Markham's existing urban land is

used more efficiently, there will be sufficient opportunities for growth without expanding the urban envelope and paving additional farmland and greenspace. Pursuant to PPS 1.3.9, sufficient opportunities for growth are available through intensification and redevelopment. There is strong public support for the protection of farmland and Rouge River greenspace. We hope York Region will respect the *Planning Act* and Provincial Policy Statements by refusing to support the expansion of the urban envelope. Given the scientific findings of the 2007 Rouge Watershed Strategy, the requirements of the *Planning Act* and Provincial Policy Statements, the implications of climate change and rising fossil fuel costs, York Region's growing debt risks, the costs of servicing further urban expansion, and the Province's back-tracking on transit and municipal infrastructure funding, **we respectfully ask York Region to:**

- 1) - vote against the proposed urban expansions, particularly within Markham;**
- 2) - protect the prime farmland and greenspace areas in**

the "whitebelt"

Delegation at Statutory Meeting

Comments as above

As per submission

- Current proposal for expansion contravenes the Ontario Planning Act and the PPS in regard to protection of water resources
- Vote no to urban expansion and ask Province to reduce the population forecasts

From: Jim Robb [mailto:jimrobb@frw.ca]

Sent: Friday, June 18, 2010 5:56 PM

To: 'Jim Robb'; Regional Chair; 'Georgina Mayor Robert Grossi'; 'Georgina Regional Danny Wheeler'; Regional Councillor Jack Heath; Mayor Frank Scarpitti; Regional Councillor Gordon Landon; Regional Councillor Jim Jones; 'Markham Regional Councillor Joe Virgilio'; 'Mayor Black and King Council'; Mayor James R. Young; Mayor Phyllis Morris; 'Newmarket Council'; Mayor Tony Van Bynen; Regional Councillor Vito Spatafora; 'Richmond Hill Mayor'; Regional Councillor Brenda Hogg; 'Vaughan Mayor Linda Jackson'

Cc: Adele Freeman; Alan Wells; 'Barb Davies'; Betty Burkholder; blittley@cityofpickering.com; bmclean@cityofpickering.com; Bob Clay; Brian Buckles; Brian Denney; Darcy Higgins ; 'David Estrin'; Devi Gopalan; gabrielle.untermann@sympatico.ca; Garry Hunter; Glenn De Baeremaeker; Gloria Boxen; Gordon_David@durham.edu.on.ca; Regional Councillor Jack Heath; Wadden, Jane; jvirgilio@markham.ca; John Minor; John Bacher; Jose Etcheverry; 'Kevin O'Connor'; LARRY NOONAN; Lilli Duoba; Kanapathi, Logan; Lorne Smith; Maria Papoulias; Marianne Yake; mfearon@media-vision.ca; 'Michelle Holmes'; 'Murray Johnston'; 'Nigel Heseltine'; Paul Harpley; PAULINE BROWES; Peter Carson; 'Ron Dewell'; SEAN WEST

Subject: Proposed Urban Expansions in York Region

Dear York Region Chairman and Council:

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Other Municipalities like Waterloo have seen citizen uprisings which have successfully insisted on "No Urban Expansion" by voting for community leaders who place Voters' interests ahead of developers' interests.

Sincerely,

Jim Robb
for the Rouge Duffins Greenspace Coalition
647 891 9550

Jim Robb
Rouge Duffins Greenspace Coalition Volunteer
General Manager, Friends of the Rouge Watershed
1 Braeburn Blvd., Scarborough, ON, M1J 2P9

June 16, 2010

The Regional Municipality of York,
Planning and Development Services Department
17250 Yonge Street, Newmarket, Ontario L3Y 6Z1
Email futureyork@york.ca

Re: Regional Official Plan Amendments - Urban Expansions (19OP-2009 -001, 002 and 003)

Dear Chairman Fisch and York Region Council:

Over the last year, ratepayer and environmental groups have worked to increase public awareness and involvement in the crucial planning for Markham's future. A record breaking 1000 people attended Markham Council's February 16, 2010 public meeting.

Unfortunately, on May 11, 2010, Markham Council voted (7 to 6) to expand the urban envelope despite massive public opposition and abundant evidence that urban expansion would harm water and air quality, increase taxes and traffic, increase flooding and erosion, and pave 9 to 10 square kilometres of Class 1 farmland.

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As the urban envelope expands, E. Coli and chloride levels exceed provincial standards
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Rouge River Report Card (2007) Key Findings - Surface Water

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S. 4.1.49 - Rouge River Watershed Strategy and Implementation Plan
Scenario Modeling and Analysis Report

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The proposed expansion of Markham’s urban envelope is contrary to public health and safety. Scientific research and monitoring clearly shows that urban expansion would lead to increased E. coli bacteria and pollution in our water and increased flooding and erosion damage in vulnerable downstream Markham communities. For example, the TRCA’s 2007 Rouge Watershed Report Card and Rouge Watershed Strategy Scenario Modeling and Analysis Report, state:

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Unwarranted Employment Land Expansion onto Farmland

Below please find three statements from Markham's May 2009 Employment Lands Strategy:

- 1) "Markham's existing commercial land supply could physically support all the new retail development warranted by growth to 2031."
- 2) "Markham currently has an industrial (employment) land supply of approximately ... ±485 net hectares ... vacant or underdeveloped."
- 3) "In more recent years, (industrial) land development trends in Markham have compressed somewhat, falling to between 22 to 25 hectares per year."

With an average recent uptake rate of 24 hectares per year and 485 hectares of vacant or under-developed land, Markham already has approximately 20 years of industrial land supply and "enough commercial land to support the new retail development warranted by growth to 2031".

As the three factual statements above reveal, there is little justification for expanding the urban envelope and paving more of Markham's irreplaceable farmland to pad Markham's existing inventory of employment lands. Excess supply leads to inefficient use and waste.

To respect the principles of sustainability, land conservation and leadership, York Region and Markham need to find ways to provide employment without paving more of Canada's finest farmland. After all, farmland is employment land, and it does not require expensive servicing and infrastructure. In the future, the movement back to diverse and community supported agriculture (CSA) will enhance the already significant employment, economic and community benefits of Markham's farmland.

Existing employment lands can be expanded upward (more floors) and downward (underground parking) to conserve and efficiently utilize land. Changes to bylaws could allow greater site coverage in some cases. Mixed commercial residential developments offer great potential for efficient land use.

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- a) Protecting land surrounded by Rouge North Greenbelt corridors, - a logical Greenbelt addition;
- b) Protecting local foodlands of higher quality than most of the land within the Greenbelt;
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Conclusion:

In his 2006/07 Annual Report, Ontario's Environmental Commissioner notes:

“The province established population projections for some communities subject to the Growth Plan, before assessing the related water and wastewater infrastructure needs, their associated costs and environmental impacts. **This puts the cart before the horse.**
....many parts of Southern Ontario have reached their capacity to accommodate additional infrastructure, housing and human populations.”

If Markham's Growth allocation is reduced from 151,000 to 110,000 and/or if Markham's existing urban land is used more efficiently, there will be sufficient opportunities for growth without expanding the urban envelope and paving additional farmland and greenspace. Pursuant to PPS 1.3.9, sufficient opportunities for growth are available through intensification and redevelopment.

There is strong public support for the protection of farmland and Rouge River greenspace. We hope York Region will respect the *Planning Act* and Provincial Policy Statements by refusing to support the expansion of the urban envelope.

Given the scientific findings of the 2007 Rouge Watershed Strategy, the requirements of the *Planning Act* and Provincial Policy Statements, the implications of climate change and rising fossil fuel costs, York Region's growing debt risks, the costs of servicing further urban expansion, and the Province's back-tracking on transit and municipal infrastructure funding, **we respectfully ask York Region to:**

- 1) - **vote against the proposed urban expansions, particularly within Markham;**
- 2) - **protect the prime farmland and greenspace areas in the "whitebelt" by asking the Province to add these lands to the Golden Horseshoe Greenbelt.**

Sincerely,

Jim Robb
for the Rouge Duffins Greenspace Coalition
1 Braeburn Blvd., Scarborough, ON, M1J 2P9
Phone: 647-891-9550
Email: jimrobb@frw.ca or jim.robb@rogers.com

TRCA Scientific Findings on Water Quality and Expanding the Urban Envelope

Water Quality tends to Decline as the Urban Envelope Expands:

“meeting water quality targets will become an increasingly distant goal as the footprint of development expands”

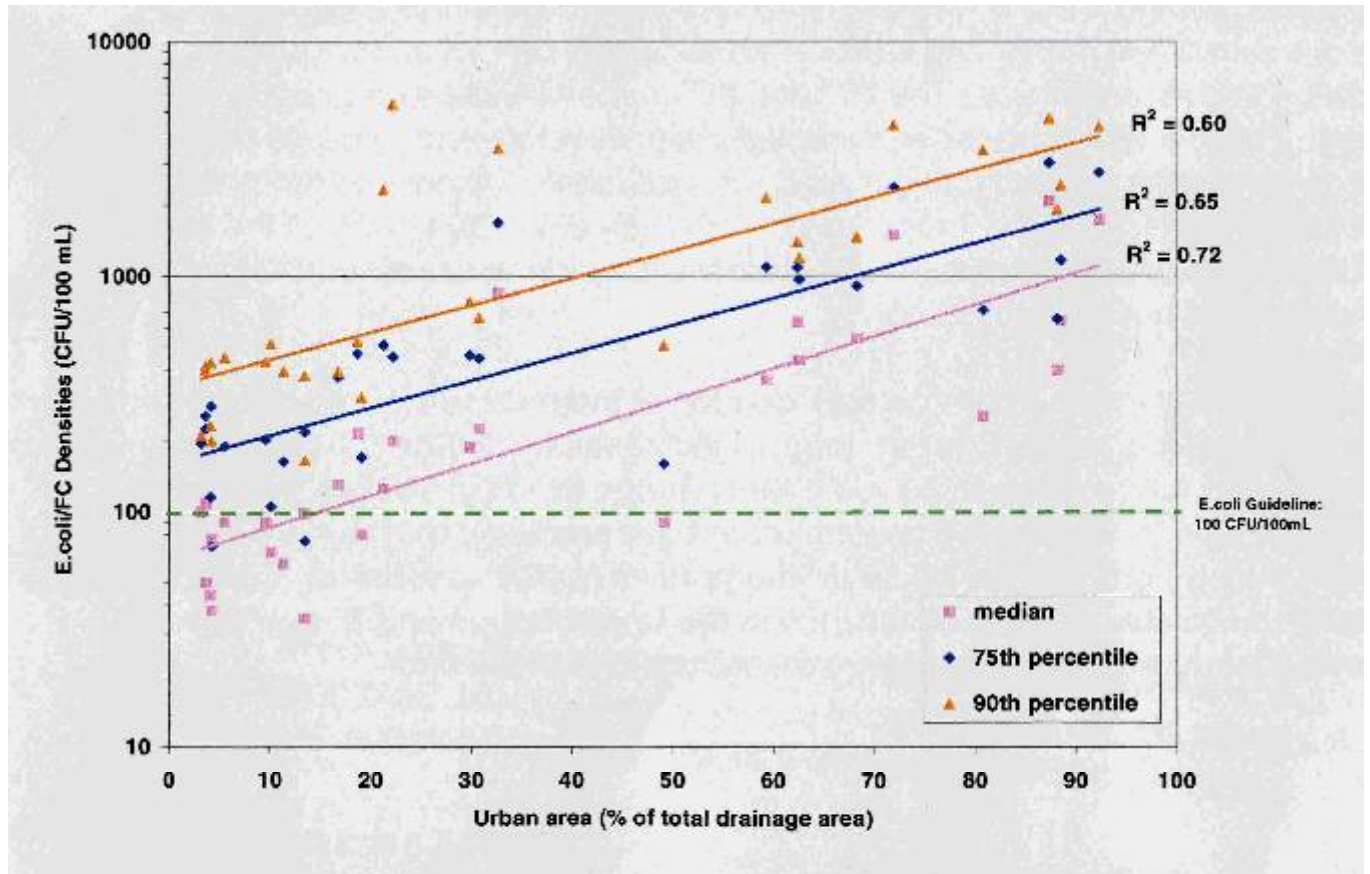
Source: Rouge River Watershed Strategy Scenario Modeling and Analyses Report
Surface Water Quality Section 4.2.9 Summary and Conclusions, p.4.2.30

E. Coli Levels tend to increase above Provincial Standards as the Urban Envelope Expands

Figure 4.2-6 shows a **positive relationship** between *E. coli* faecal coliform densities and the percent of urbanized area upstream of each of the 31 Rouge Watershed Monitoring Network (RWMN).

Source: Rouge River Watershed Strategy Scenario Modeling & Analyses Report p.4.2-14

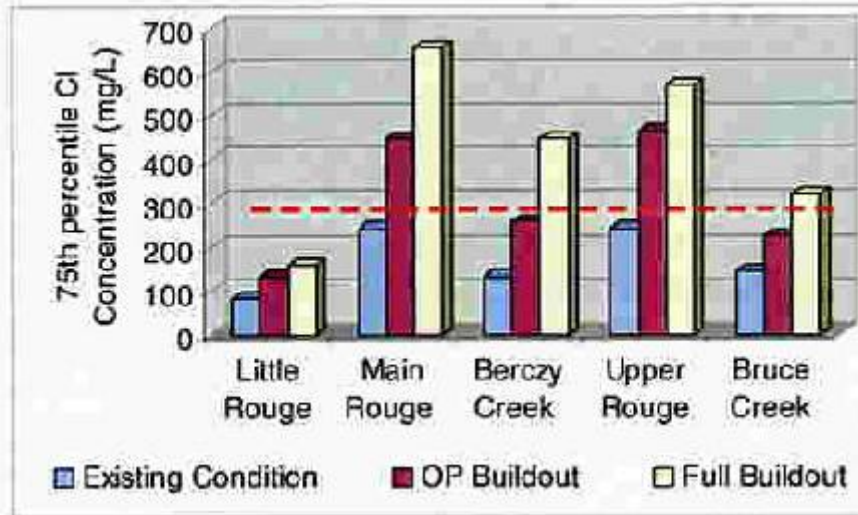
The MOE Standard is less than 100 E.coli/100 ml water for safe human contact with surface water



Strong links between impervious cover and bacterial contamination in streams have also been reported in the United States by Wickam et al. (2006), Smith et al. (2001) and Tuford and Marshall (2002).

Chloride Levels Increase and Exceed Provincial Standards as the Urban Envelope Expands -

Source: TRCA Rouge Modeling and Analyses Report (2007) P. 4.2-16



The MOE Standard is less than 250 mg/L chloride.

The OP Build out is the development of areas already approved in the existing official plan.

The full build-out is the expansion of the urban envelope and building into the areas not already designated as Greenbelt north of Major Mackenzie Drive.

Vote “**No Urban Expansion**”



Prime Farmland Going, Going ...

Markham Farmland Loss 12,085 acres (2001 - 06)

Markham Farmland Loss 43% between (2001 - 06)

York Region Farmland Loss 5% between 2001 and 2006

Ontario Farmland Loss 1.5% between 2001 and 2006

Source: Markham 2009 Agricultural Assessment



Some of Canada's Best Foodland Soils Piled for Disposal



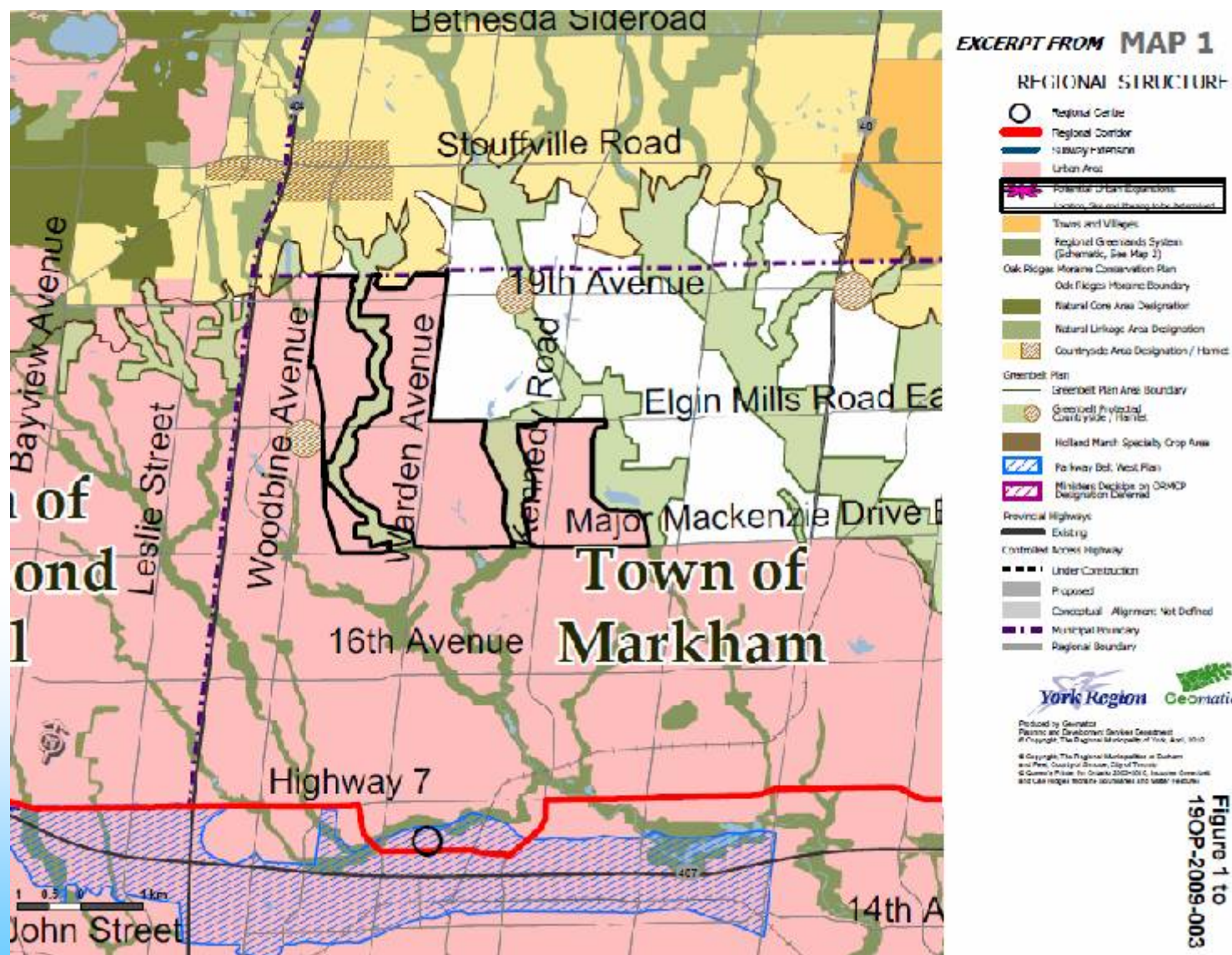
Markham Trees in Wood-chip Piles only 5% forest cover remains



60% (31,750 acres) of Markham's Class 1 Farmland has already been Urbanized



Potential Markham Urban Expansion



York and Markham Planning Staff and Developers' Proposal

- “Urban Expansion” – paving of 9 to 10 more square kilometers (approx. 2500 acres) of Markham’s remaining farmland
- 50 to 60% growth within existing urban areas, remaining growth on farmland



Planning Act and Provincial Policy Statements

- The *Planning Act* stipulates that decisions of planning authorities

“shall be consistent” with provincial policy statements

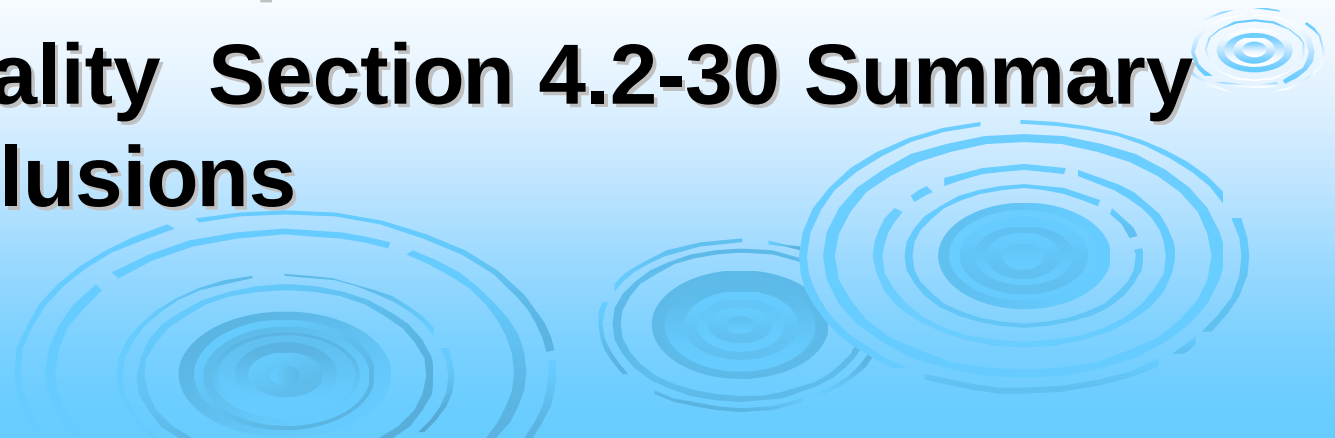
- *Provincial Policy Statement 2.2.1* states:

“Planning authorities shall protect, improve or restore the quality and quantity of water”



Urban Expansion is Contrary to Planning Act and PPS

- **“meeting water quality targets will become an increasingly distant goal as the footprint of development expands”**
- **Source: Rouge River Watershed Strategy and Implementation Plan
Water Quality Section 4.2-30 Summary
and Conclusions**



Ten Reasons to Vote

“No Urban Expansion”



1. Protect Farmland and Greenspace

Do not Pave

Canada's and York Region's
irreplaceable

Class 1 Farmland and Greenspace



2. Avoid More Traffic Gridlock

Markham Staff Reports show that

**Urban Expansion will increase Traffic
more**

than "No Urban Expansion"



3. Avoid Higher Taxes and Bankruptsy

Markham Staff Reports show that
Urban Expansion will Increase Taxes
more than "No Urban Expansion"

**Don't Dig York Region Deeper
Into Debt to Service Urban Expansion**



4. Avoid More Water Pollution

**Toronto Region Conservation Authority
Reports show that**

**Urban Expansion will increase water
pollution,
including E. Coli bacteria**

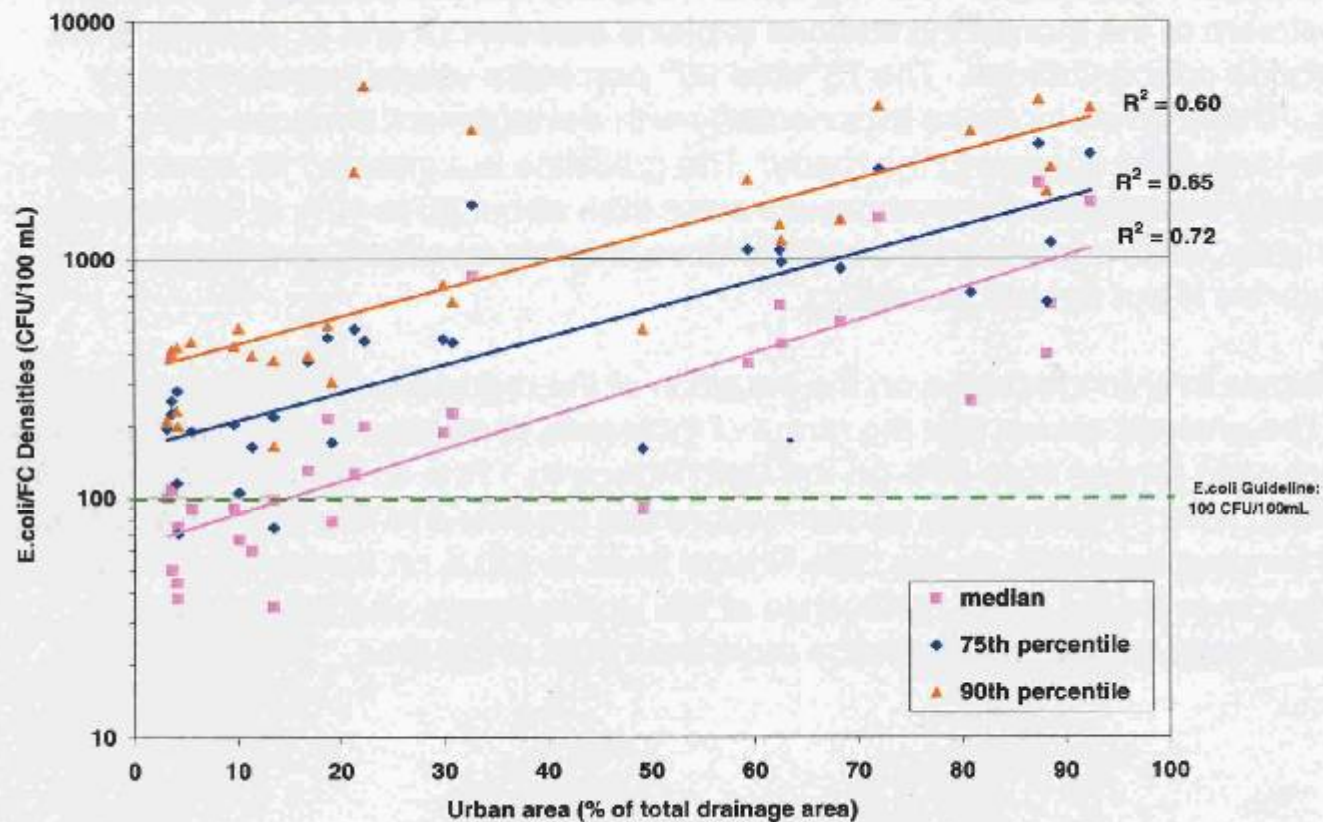


Polluted Urban Runoff entering Robinson Creek Trout Stream, Markham



E. Coli Bacteria Levels exceed MOE Public Health Standards as the Urban Envelope Expands

Figure 4.2-6: Relationships between *E.coli*/*F.coli* densities and the extent of urbanization upstream of GTA monitoring stations (Regional Watershed Monitoring Network, 2002-2005).



Lake Ontario, Markham's Water Source Polluted from too much Urban Runoff and Human Waste



5. Avoid More Flooding & Property Damage and Financial Liability

TRCA Reports show that Urban Expansion
would increase
flooding, erosion and property damage risk in
Unionville and downstream communities



Upstream Urban Expansion Increases Damage to Existing Downstream Properties = Financial Liability

- *middle tributaries (Markham communities) would be subject to **major hydrological impacts** if the urban envelope is expanded*
- ... development-induced changes to the flow regime
cause uncontrolled erosion, enlargement, and habitat degradation

Source: 2007 TRCA Rouge River Watershed Scenario Modelling and Analysis Report



Flooding and Erosion Damage is Increasing with Climate Change



6. Urban Expansion is Not Sustainable

The choice of leadership, excellence and sustainability is "No Urban Expansion";



7. Only Compact Transit-based Growth Can Reduce Traffic, Pollution and Dangerous Climate Change

We need to stop urban expansion to ensure
intensification near transit and
diversification of housing types
to provide accommodation for youth, seniors &
modest income Canadians



8. Wisdom, Vision & Sustainability

Environmental leaders such as the Suzuki Foundation, the Canadian Association of Physicians for the Environment, the GTA Greenbelt Alliance, York Environmental Alliance and many others support "No Urban Expansion" based on research, vision, wisdom and the principles of sustainability



9. The Province

- A) - set growth targets before the scientific studies were completed (e.g. Rouge Watershed Strategy);
- B) - **“put the cart before the horse”** according to Ontario’s Environmental Commissioner;
- C) - has back-tracked on the transit funding necessary to support growth.



10. Choose Voters' Interests over Developers'

Other Municipalities like Waterloo have seen citizen uprisings which have successfully insisted on "No Urban Expansion" by voting for community leaders who place Voters' interests ahead of developers' interests



To Plan for Sustainability, York Region Should

- 1) Vote "No Urban Expansion"
- 2) Insist on a 30 to 40% provincial growth target reduction to **avoid:**
 - A) Increased water and air pollution;
 - B) Increased traffic gridlock and Climate Change;
 - C) Increased taxes;
 - D) More paving of farmland & greenspace.



Your Legacy?

More Protected Farmland and Greenspace or More Pavement, Traffic, Pollution and Taxes



Avoid
Environmental and Financial
Bankruptcy
Vote “No Urban Expansion”

June 16, 2010 Submission by Jim Robb
for the Rouge Duffins Greenspace Coalition
Re: Regional Urban Expansion OPAs 19OP-2009-001,002 and 003



Submission Number

D05.2009.001.4.002

D05.2009.002.4.004

D05.2009.003.4.002

Delegation at Statutory
Meeting**Date of Submission:**

June 16, 2010

June 16, 2010

Submission Author:John Stillich, General Manager of Sustainable Urban
Development Association (SUDA)**Comments or Requested Change to Proposed ROPA 1, 2 and 3****Analysis and Recommendation**

The proposed expansion for East Gwillimbury, Vaughan and Markham should not be approved without new, additional, strong conditions that require and ensure sustainable urban development.

In addition to the minimum requirements of the York Region ROP, and as a condition of approval for these urban expansions, urbanization of the subject lands should achieve, within their boundaries:

- An overall density of a minimum 120 residents and jobs per gross hectare (total 216,000 occupancy minimum); plus employment lands for noxious industry only;
- An employment-to-population ratio of at least 1:3;
- An overall mix of uses such that access to supermarkets, non-institutional health services, schools, employment and other retail services is easily achieved by walking (taking into account climatic conditions);
- A design of the road and pedestrian network such that every resident is able to access an existing or potential public transit stop within a three minute walk;
- An overall reduction of 50% in vehicle-kilometres traveled by residents;
- A reduction in energy imports for indoor climate control of 80% or more, compared to the overall energy

The adopted Regional Official Plan 2009 requires comprehensive local municipal secondary plans for new community areas using an innovative, integrated and sustainable approach to the planning, design and approval of the secondary plan.

The ROP establishes minimum requirements for these secondary plans which include:

- a minimum density of 70 people and jobs per hectare and 20 units per hectare;
- high quality urban design;
- community design that maximizes solar gain;
- a community energy plan;
- comprehensive master environmental servicing plans that examine all water systems in an integrated manner;
- a mobility plan that prioritizes walking, cycling and transit;
- policies to implement the Regional Pedestrian and Bicycling Master Plan;
- policies to mitigate urban heat island effects;
- a Regional Greenlands System Plan;
- Phasing plans based on upfront delivery of hard and soft services prior to occupation and at an early stage of development.

consumption of the remainder of the municipality.

Urbanization of the subject lands should not occur until intensification targets for East Gwillimbury and Vaughan are significantly increased and until those targets are met, and that include current greenfield lands within the existing urban boundary.

Delegation at Statutory Meeting
Presentation as in the submission

- the distance from a transit stop is generally no more than 500 metres for 90% of the population, and no more than 200 metres for 50% of the population.

As part of the Regional Official Plan, the Region completed a municipal comprehensive review that met the Provincial Growth Plan conformity requirements which included:

- the completion of an intensification strategy that identifies a minimum 40% intensification. The local municipalities are required to demonstrate, through a strategy, how their local intensification target will be implemented; and,
- Demonstration of how the minimum designated Greenfield Area density target of 50 people and jobs per hectare will be achieved. Note that the ROP's minimum density requirement for the New Community Areas is higher at 70 people and jobs per hectare.

Sustainable Urban Development Association

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SUDA



Deputation to York Region Planning and Development Committee
June 16, 2010
Newmarket – Committee Room A

Hello. I am John Stillich, General Manager of SUDA.

My comments are generic, relevant to all three proposed urban boundary expansion amendments.

The proposed expansions for East Gwillimbury, Vaughan and Markham should not be approved without new, ^{ADDITIONAL} strong conditions that require and ensure sustainable urban development. These conditions must reflect what will very likely be the very different and constrained conditions of the 21st century.

Paramount among 21st century problems will be extremely expensive oil and gas energy for our transportation, agricultural, industrial and other sectors. And we know that energy, land use and environmental sustainability are highly interdependent.

Since the early 1980's, discoveries of petroleum have fallen well short of consumption. Very soon – and I emphasize very soon, because there is a good deal of evidence out there to support it – global consumption of petroleum will exceed available supplies. When that happens, early in the planning timeframe of current plans, York's citizens and its commerce will be thrown into difficult circumstances that must be ameliorated. The cost for energy will double and triple, especially for transportation, and alternative fuels will not be able to adequately compensate. And official plans in York fail to consider what this will mean to its people.

Food costs – the energy costs of growing food and transporting it long distances to market – are going to skyrocket. And this is why preserving local farmlands is so important. Foodlands that are nearby and adequate to feed our rapidly-growing populations are irreplaceable and will be needed down the road.

For York and its local municipalities, the appropriate risk management strategy is to accommodate new population and employment growth on as little land as possible, firstly within existing built-up boundaries, where there is great potential, and in ways that minimize burdensome energy imports for transportation, for household operations, for public services, and for commerce.

Where greenfield development is necessary, sustainability and resilience will require a number of conditions for urbanization – conditions that will also ensure a highly pleasant and marketable environment for families and for commerce, no matter which way the future unfolds. SUDA's Newburg example for greenfield development shows that this is possible, and produces dozens of significant benefits.

Therefore, SUDA recommends that, notwithstanding the minimum requirements of the Official Plan of York Region, and as a condition of approval for these urban expansions, the urbanization of the subject lands achieve, within their boundaries

- An overall density of a minimum of 120 residents and jobs per gross hectare (total 216,000 occupancy minimum); *PLUS EMPLOYMENT LANDS FOR NOXIOUS INDUSTRY ONLY,*
- An employment-to-population ratio of at least 1:3;
- An overall mix of uses such that access to supermarkets, non-institutional health services, schools, employment and other retail services is easily achieved by walking (taking into account climatic conditions);
- A design of the road and pedestrian network such that every resident is able to access an existing or potential public transit stop within a three minute walk;
- An overall reduction of 50% in vehicle-kilometres traveled by residents;
- A reduction in energy imports for indoor climate control of 80% or more, compared to the overall energy consumption of the remainder of the municipality.

And further, that urbanization of the subject lands not occur until intensification targets for East Gwillimbury and Vaughan are significantly increased and until those targets are met, *AND THAT INCLUDE CURRENT GREENFIELD LANDS WITHIN THE EXISTING URBAN BOUNDARY.*

These conditions are absolutely possible to achieve, and are necessary for real sustainability and economic resilience. They will also increase profits for landowners and reduce the per capita costs of public services.

If needed, defer the amendments and spend some time to look more closely at how these conditions can work, but to approve these urban boundary expansions without them will be counterproductive and costly to all stakeholders.

SUDA also recommends that you take a closer look at what's in store for us all in the 21st century. Bring in some bright minds and the really strategic thinkers to examine what urban environments and urban strategies for energy security, food security, transportation, economic resiliency, urban density, housing styles and other considerations are appropriate for the future through and beyond 2031. *

Please tell your planning department to bring forward, over the next full year, a city-building concept that addresses a scenario of energy prices for oil and gas that are double and triple what they are today, in today's dollars. Please tell them also that the need to reduce greenhouse gas emissions to less than half of today's levels, in absolute terms, is essential.

See what solutions they come up with, in terms of land use, density, land consumption, mixing of uses and housing, walkability, dramatic transportation modal shifts, energy systems and efficiency standards, and so on.**

But until then, defer the adoption of any amendment that expands urban boundaries in York based on today's unsustainable standards. To do otherwise is to ignore the future.

Thank you.