

Submission Number
D05.2009.003.2.001

Date of Submission:
May 3, 2010

Submission Author:
Treacy, Michelle & Jesse Rudy

Comments or Requested Change to Proposed ROPA 3

Analysis and Recommendation

We support Markham City Councillors Shapero and Burke in their forward-thinking proposal to protect prime Canadian agricultural land from further development. With peak oil, global markets & rampant urban sprawl threatening the future of food security in Ontario (in particular & Canada in general), we appreciate this brave stand to ensure that future generations will be able to feed their families with food grown "in our own backyard" and drink water uncontaminated by irresponsible development. Markham's historic decision-making will be an example for other municipalities to follow. Please vote in favour of the Green Belt expansion request to create a permanent Foodbelt and Natural Heritage System between Major Mackenzie Drive and the Oak Ridges Moraine. Please also work at all levels of government to limit population growth in Markham to less than 25% over the next 22 years & halt further urban sprawl in Markham in favour of intensification of already urbanized areas.

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 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.

Received May 3, 2010

D05.2009.003.2.001

From: Michilin Ni Treasaig

Sent: Sunday, May 02, 2010 2:20 PM

To: kkitteringham@markham.ca; Mayor Frank Scarpitti; Regional Councillor Jim Jones; Regional Councillor Gordon Landon; jvirgilio@markham.ca; Regional Councillor Jack Heath; eshapero@markham.ca; vburke@markham.ca; dhamilton@markham.ca; jwebster@markham.ca; dhorchik@markham.ca; lkanapathi@markham.ca; achiu@markham.ca; cmoretti@markham.ca; Regional Clerk; FutureYork; dmccguinty.mpp.co@liberal.ola.org; mchan.mpp.co@liberal.ola.org; hjaczek.mpp.co@liberal.ola.org; peter.shurmanco@pc.ola.org; Calandra.P@parl.gc.ca; McCalJ@parl.gc.ca; Kent.P@parl.gc.ca; Kennedy.G@parl.gc.ca; dinovoc-qp@ndp.on.ca

Subject: I Support the Markham Foodbelt proposal!

Dear Elected Representatives,

We support Markham City Councillors Shapero and Burke in their forward-thinking proposal to protect prime Canadian agricultural land from further development. With peak oil, global markets & rampant urban sprawl threatening the future of food security in Ontario (in particular & Canada in general), we appreciate this brave stand to ensure that future generations will be able to feed their families with food grown “in our own backyard” and drink water uncontaminated by irresponsible development. Markham’s historic decision-making will be an example for other municipalities to follow. Please vote in favour of the Green Belt expansion request to create a permanent Foodbelt and Natural Heritage System between Major Mackenzie Drive and the Oak Ridges Moraine. Please also work at all levels of government to limit population growth in Markham to less than 25% over the next 22 years & halt further urban sprawl in Markham in favour of intensification of already urbanized areas.

Respectfully,

Michelle Treacy & Jesse Rudy
M6P 2H5

Submission Number
D05.2009.003.2.002

Date of Submission:
May 6, 2010

Submission Author:
Bernie Zeesman

Comments or Requested Change to Proposed ROPA 3

Analysis and Recommendation

Please refrain from passing the regional official growth plan until further public consultation and planning has occurred in Markham.

Limit Markham's population growth to less than 25% over the next 22 years.

Create a permanent Markham foodbelt and natural heritage system by expanding the Greenbelt from the Oak Ridges Moraine southward to Major Mackenzie Drive.

Protect communities from over intensification – enact height restrictions near existing residential communities (e.g. six storey maximum).

The Province, through the Growth Plan, mandated that the Region accommodate a population forecast of 1.5 million and an employment forecast of 780,000 by 2031.

Since the Greenbelt Plan was approved, there are essentially only three relatively small areas in the Region that can accommodate significant Greenfield growth beyond those lands that are currently approved for development; Northern Markham and Vaughan and East Gwillimbury. Each of these three municipalities has been allocated a share of the anticipated Greenfield growth to 2031.

A total of 77,000 ha or 43% of the Region's total land area is protected for agricultural uses. 88% of growth (including 40% intensification) in the Region will be accommodated within the existing approved urban area.

The Region has a sustainable approach to growth management that is based on the triple bottom line of economic vitality, healthy communities and sustainable natural environment. All key planning documents including the Regional Official Plan and the Master plans for transportation, water and wastewater are premised on sustainability principles.

The Regional Official Plan contains a number of policies that support Markham's rural heritage, foodlands and greenspace including:

- the enhancement of an updated linked Greenlands System to ensure a natural heritage legacy for York Region.
- the retention of the character of lands in the rural area and the protection of existing agriculture, agriculture-related and secondary agriculture uses.
- The protection of the Agricultural, Rural, and Holland Marsh Specialty Crop Areas.

Approximately 69% of the Region is within the Greenbelt Plan Area, including the Oak Ridges Moraine Conservation Plan Area and is protected from major development.

In 2008, the Province released criteria for expanding the Greenbelt's boundaries. Municipalities are required to prepare a submission that demonstrates how each of the criteria have been met. The Province will review the submission and may initiate the process to amend the Greenbelt Plan. Under the Greenbelt Act, 2005, The Minister of Municipal Affairs and Housing is required to consult with affected bodies including the Greenbelt Council, affected municipalities and the public before recommending it to Cabinet for approval.

The Greenbelt is scheduled for review in 2015.

From: Zeesman, Bernie

Sent: Thursday, May 06, 2010 11:30 AM

To: kkitteringham@markham.ca; Mayor Frank Scarpitti; Regional Councillor Jim Jones; Regional Councillor Gordon Landon; jvirgilio@markham.ca; Regional Councillor Jack Heath; eshapero@markham.ca; vburke@markham.ca; dhamilton@markham.ca; jwebster@markham.ca; dhorchik@markham.ca; lkanapathi@markham.ca; achiu@markham.ca; cmoretti@markham.ca; FutureYork; Regional Clerk; dmcguinty.mpp.co@liberal.ola.org; mchan.mpp.co@liberal.ola.org; hjaczek.mpp.co@liberal.ola.org; peter.shurmanco@pc.ola.org; Calandra.P@parl.gc.ca; McCalJ@parl.gc.ca; Kent.P@parl.gc.ca

Subject: Markham's Foodbelt / Markham's Quality of Life / Canada's Quality of Life

Thank you for your time everyone.

I am a very concerned York Region citizen. This is an issue across York Region and the rest of Canada. However, Markham is currently at a turning point. Myself along with many other citizens are concerned that dwindling farmland will be further diminished if the York Region 22-yr growth plan is not altered.

I do not profess to be an expert on the topic but it is clear just by reading the local articles and following the reports that farmland is disappearing at an alarming rate. Instead of focusing on grow, grow, grow; can we not focus on getting what we have functioning and working properly? Clearly, the full speed ahead approach to growth across all of North America has led to major ecological and economical issues not to mention energy, traffic and pollution issues.

Let's take a stand and do it right this time. A time-out if you will. Let's stabilize all of those issues and really look at how growth can work properly with consideration to all involved including farmland.

If we can accomplish this, we can be a model to the rest of Canada and the world. It's not all about money folks!

So in conclusion, we are encouraging you to "DO THE RIGHT THING!"

1. Please refrain from passing the regional official growth plan until further public consultation and planning has occurred in Markham;
2. Limit Markham's population growth to less than 25% over the next 22 years;
3. Create a permanent Markham foodbelt and natural heritage system by expanding the Greenbelt from the Oak Ridges Moraine southward to Major Mackenzie Drive;
4. Protect communities from over intensification - enact height restrictions near existing residential communities (e.g. six storey maximum).

Thanks again for your time and attention.

Please consider the environment before printing this email!

Bernie Zeesman

Facilities Coordinator

Scholastic Canada Ltd.

175 Hillmount Road, Markham, Ontario L6C 1Z7

 Email: [\[redacted\]](#)

 Office: (905) 887 7323 ext. 4208

 Fax: (905) 887 3644

Submission Number
D05.2009. 003.2.003

Date of Submission:
May 7, 2010

Submission Author:
Gloria Boxen

Comments or Requested Change to Proposed ROPA 3

Analysis and Recommendation

I urge Markham Council to support the "No Urban Expansion" option and the creation of a "Markham Foodbelt" to permanently protect Markham's remaining farmland and countryside within the provincial Greenbelt.

The Province, through the Growth Plan, mandated that the Region accommodate a population forecast of 1.5 million and an employment forecast of 780,000 by 2031.

Since the Greenbelt Plan was approved, there are essentially only three relatively small areas in the Region that can accommodate significant Greenfield growth beyond those lands that are currently approved for development; Northern Markham and Vaughan and East Gwillimbury. Each of these three municipalities has been allocated a share of the anticipated Greenfield growth to 2031.

A total of 77,000 ha or 43% of the Region's total land area is protected for agricultural uses. 88% of growth (including 40% intensification) in the Region will be accommodated within the existing approved urban area.

The Region has a sustainable approach to growth management that is based on the triple bottom line of economic vitality, healthy communities and sustainable natural environment. All key planning documents including the Regional Official Plan and the Master plans for transportation, water and wastewater are premised on sustainability principles.

The Regional Official Plan contains a number of policies that support Markham's rural heritage, foodlands and greenspace including:

- the enhancement of an updated linked Greenlands System to ensure a natural heritage legacy for York Region.
- the retention of the character of lands in the rural area and the protection of existing agriculture, agriculture-related and secondary agriculture uses.
- The protection of the Agricultural, Rural, and Holland Marsh Specialty Crop Areas.

Approximately 69% of the Region is within the Greenbelt Plan Area, including the Oak Ridges Moraine Conservation Plan Area and is protected from major development.

In 2008, the Province released criteria for expanding the Greenbelt's boundaries. Municipalities are required to prepare a submission that demonstrates how each of the criteria have been met. The Province will review the submission and may initiate the process to amend the Greenbelt Plan. Under the Greenbelt Act, 2005, The Minister of Municipal Affairs and Housing is required to consult with affected bodies including the Greenbelt Council, affected municipalities and the public before recommending it to Cabinet for approval. The Greenbelt is scheduled for review in 2015.

Plan our urban areas properly as mixed-use walkable communities and we will find our personal and our government finances enhanced. Examine these areas when making planning decisions through the eyes of our most vulnerable, our young and our seniors, the disabled and the disadvantaged and we will enhance the quality of life and

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.

health for everyone.

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 prioritize 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.
- 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.

Received May 7, 2010

D05.2009.003.2.003

From: Gloria Boxen

Sent: Thursday, May 06, 2010 4:57 PM

To: Mayor Frank Scarpitti; Regional Councillor Jim Jones; Regional Councillor Gordon Landon; jvirgilio@markham.ca; Regional Councillor Jack Heath; Erin Shapero; Valerie Burke; dhamilton@markham.ca; jwebster@markham.ca; dhorchik@markham.ca; Ikanapathi@markham.ca; cmoretti@markham.ca; McCalJ@parl.gc.ca; Kent.P@parl.gc.ca; Calandra.P@parl.gc.ca; mchan.mpp.co@liberal.ola.org; peter.shurmanco@pc.ola.org; hjaczek.mpp.co@liberal.ola.org; dmccguinty.mpp.co@liberal.ola.org; Jim Bradley; minister@omaf.gov.on.ca; cmitchell.mpp.co@liberal.ola.org; markhamfoodbelt@gmail.com; Jim Robb; FutureYork; Regional Chair; Jeffrey, Barb

Subject: Save Markham's agriculture with the creation of a Markham Foodbelt

Dear Mayor Scarpitti, Council and Political Leaders:

Markham staff reports have shown that "Urban expansion" onto farmland will increase traffic and taxes more than the "No Urban Expansion" option.

I urge Markham Council to support the "No Urban Expansion" option and the creation of a "Markham Foodbelt" to permanently protect Markham's remaining farmland and countryside within the provincial Greenbelt.

There will come a time when there is no more foodland to protect and we will be at the mercy of outside producers in terms of quality, safety, quantity and price. The whitebelt is important for agriculture and the environmental services it provides.

Plan our urban areas properly as mixed-use walkable communities and we will find our personal and our government finances enhanced. Examine these areas when making planning decisions through the eyes of our most vulnerable, our young and our seniors, the disabled and the disadvantaged and we will enhance the quality of life and health for everyone.

When we do the right thing for society and the environment there is always many beneficial, often unforeseen consequences.

Sincerely

Gloria Boxen

117 Old Surrey Lane

Richmond Hill, Ontario

L4C 6R8

905 881-8543

Submission Number
D05.2009.003.2.004

Date of Submission:
June 4, 2010

Submission Author:
Smith, Lorne

Comments or Requested Change to Proposed ROPA 3

Analysis and Recommendation

Property Description:

Lot 21 and 22 Concession 6 that front on McCowan Road

I request consideration of an expansion of the eastern boundary to include the portions of Lot 21 and 22 Concession 6 that front on McCowan Road. This small area of approximately 30 ha is being orphaned as white belt. It is clearly unsuitable for agricultural activity. In addition inclusion of this area will make it feasible for the construction of a roadway approximately 500m from Major Mackenzie to permit access from the development on Kennedy Road to McCowan Road. It has been the normal pattern for other development areas in Markham to provide multiple access roads between major Regional Roads.

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 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)
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- 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.

Received June 4, 2010

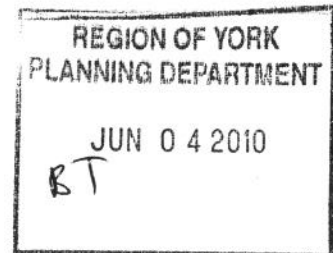
D05.2009.003.2.004

Lorne R. Smith
10292 McCowan Road
Markham, On
L3P 3J3

Bryan W. Tuckey
Commissioner of Planning and Development Services

Bruce Macgregor
Chief Administrative Officer

Region of York
17250 Yonge Street
Newmarket, ON
L3Y 6Z1



Dear Mr. Tuckey and Mr. Macgregor:

I have received your letter of May 7, 2010 explaining the York Region Official Plan, December 2009 and the Report to Planning and Economic Development Committee; May 5, 2010.

I have once again reviewed the map of the new urban expansion for the Town of Markham and wish to propose a change for the very eastern boundary.

I request consideration of an expansion of the eastern boundary to include the portions of Lot 21 and 22 Concession 6 that front on McCowan Road. This small area of approximately 30 ha is being orphaned as white belt. It is clearly unsuitable for agricultural activity. In addition inclusion of this area will make it feasible for the construction of a roadway approximately 500 m from Major Mackenzie to permit access from the development on Kennedy Road to McCowan Road. It has been the normal pattern for other development areas in Markham to provide multiple access roads between major Regional Roads.

I ask for your consideration of this request.

Yours truly,

A handwritten signature in cursive script, appearing to read "Lorne R. Smith".

Lorne R. Smith

Cc: Mayor Frank Scarpitti, Regional Councillors Heath, Jones, Landon, Virgillio,
Councillor Moretti

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.

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- Consistent with local priorities

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

Need to also phase in development in the white belt

Policy 5.2.8 of the Regional Official Plan requires, that within each local municipal, a phase of new community area development is substantially complete (i.e. generally 75% of residential land area built) before a subsequent phase may be registered, to ensure the orderly development of land.

Also very concerned about storm water management and the enormous problems of development in upstream areas on

Policy 5.6.11 requires Local Municipalities to prepare and implement comprehensive master environmental servicing plans

downstream flooding downstream in Vaughan and Markham –
have seen some significant flood events in recent years

as part of the secondary planning process for new community areas. These plans should examine all water systems in an integrated and comprehensive manner that includes minimize stormwater volume and contaminant loads. As well, maximize infiltration through an integrated stormwater 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 system, and the preservation and enhancement of native vegetation cover.

Submission Number
D05.2009.003.2.005
Delegation at Statutory
Meeting

Date of Submission:
June 16, 2010

Submission Author:
Marion Matthias

Comments or Requested Change to Proposed ROPA 3

Analysis and Recommendation
Delegation at Statutory Meeting

- Lives in the old Village of Thornhill
- Concerned that urban expansion will have a drastic effect on York Region
- Disappointed with the 40% intensification target that was imposed - should have been phased in over the next 5 years, especially with the arrival of the subway
- Similarly the forced intensifications target of 52% in Markham should have been phased in
- Concerned about transportation and the amount of intensification along Yonge Street – if no subway is built then traffic will be untenable

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.

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The land budget work included:

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- 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.
- 52% of intensification is projected in Markham in order to achieve 40% intensification Region-wide.
- An assessment of the available residential and employment

Submission Number
D05.2009.003.2.006
Delegation at Statutory
Meeting

Date of Submission:
June 16, 2010

Submission Author:
Tom Farrar

Comments or Requested Change to Proposed ROPA 3

Analysis and Recommendation

Delegation at Statutory Meeting

- Process in Markham became a battleground of essentially Provincial issues
- Ended up with a choice of intensification targets 40%, 52%, 100% and don't know which is correct.
- 52% to 60% seems high based on the types of people that have come to Vaughan and Markham and East Gwillimbury before and this will change the face of our communities
- When York region goes forward needs to be on the basis of what you want York region to look like in the future

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.

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- An assessment of the available residential and employment 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.

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- 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.

Submission Number
D05.2009.003.3.001

Date of Submission:
June 1, 2010

Submission Author:
Town of Markham

Comments or Requested Change to Proposed ROPA 3

Analysis and Recommendation

Town staff request changes to Map 11 as follows:

- Designate Woodbine Avenue north of Major Mackenzie as “Regional Transit Priority Network” following the alignment of the planned future alignment as opposed to the existing,
- Designate Kennedy Road from Major Mackenzie to Elgin Mills as “Regional Transit Priority Network” as this constitutes a logical future extensions of the designation

Regional staff has been working closely with Local Municipal Staff on ROPA 3 and reviewed the Town's request with staff from the Infrastructure Planning Branch.

Map 11 has been revised to reflect the Town of Markham's comments.



Received June 2, 2010

D05.2009.003.3.001

June 1, 2010

Mr Bryan Tuckey
Commissioner, Planning and Development Services
Regional Municipality of York
17250 Yonge Street
Newmarket, ON L3Y 6Z1

Re: Draft Amendment No.3 to the Regional Official Plan

Dear Mr. Tuckey,

Town of Markham Planning Staff has reviewed Draft Amendment No.3 to the Regional Official Plan contained in your staff report to the Region of York Planning and Economic Development Committee on May 5, 2010. I am writing to request that you consider the following suggested revisions to Map 11 Transit Network of the draft Amendment, prior to adoption by Regional Council:

- First, it would be appropriate to show the "Regional Transit Priority Network" designation on Woodbine Avenue north of Major Mackenzie Drive East, following the planned future alignment of Woodbine Avenue, rather than current alignment.
- Second, the portion of Kennedy Road between Major Mackenzie Drive East and at least Elgin Mills Road, should also be designated as "Regional Transit Priority Network", recognising that this portion of Kennedy Road constitutes a logical future extension of that designation, from south of Major Mackenzie Drive East, to north of Major Mackenzie Drive East, within the amended "Urban Area".

I would be pleased to discuss this request with you, or with your Staff. You may also contact Tim Lambe of this Department on this matter

Yours very truly,

James Baird, M.B.A., M.C.I.P.
Commissioner, Development Services

- c. Mayor Scarpitti and Members of Regional Council
Tim Lambe, Manager, Policy

Submission Number
D05.2009.001.3.001
D05.2009.002.3.001
D05.2009.003.3.002

Date of Submission:
June 8, 2010

Submission Author:
Region of Peel

**Comments or Requested Change to Proposed ROPAs 1, 2
and 3**

Analysis and Recommendation

No comments on proposed ROPAs 1, 2 or 3

No comment necessary

Received June 8, 2010

D05.2009.003.3.002

From: Gurusinghe, Basil [Basil.Gurusinghe@peelregion.ca]

Sent: June 8, 2010 11:41 AM

To: Jeffrey, Barb

Cc: Warren, Andrea

Subject: Proposed Amendments 1, 2 and 3 to the Official Plan for York Region.

Thank you for circulating the subject amendments to the Official Plan for York Region to us.

We have reviewed them and would like to inform you that we have no comments to offer.

Basil Gurusinghe
Principal Planner
Development Planning Division
Public Works
Region of Peel

Submission Number
D05.2009.001.3.002
D05.2009.002.3.002
D05.2009.003.3.003

Date of Submission:
June 14, 2010

Submission Author:
Chippewas of RAMA First Nation

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

Analysis and Recommendation

As a member of the Williams Treaties First Nations, Rama First Nation acknowledges receipt of your letter of May 13, 2010, which was received on May 19, 2010.

Letter confirms receipt of our communications.

A copy of your letter has been forwarded to Karry Sandy-McKenzie, Barrister & Solicitor, Coordinator for Williams Treaties First Nations for further review and response directly to you.

Regional staff met with First Nations representatives on August 26th, 2010 regarding Regional Official Plan Amendment 1. York Region will continue to engage with First Nations communities.



Chippewas of RAMA
First Nation

A Proud Progressive First Nation Community

Received June 14, 2010

D05.2009.003.3.003

5884 Rama Road, Suite 200

Rama, Ontario L0K 1T0

T 705.325.3611 F 705.325.0879

June 2, 2010

York Region
Planning and Development Services
17250 Yonge Street
Newmarket, ON L3Y 6Z1

Attention: John B. Waller, Director Long Range and Strategic Planning Branch

Re: Proposed Regional Official Plan Amendments 1, 2 and 3

Dear Mr. Waller:

As a member of the Williams Treaties First Nations, Rama First Nation acknowledges receipt of your letter of May 13, 2010, which was received on May 19, 2010.

A copy of your letter has been forwarded to Karry Sandy-McKenzie, Barrister & Solicitor, Coordinator for Williams Treaties First Nations for further review and response directly to you. Ms. Sandy's address is 8 Creswick Court, Barrie, ON L4M 2J7 and her telephone number is (705) 792-5087.

We appreciate your taking the time to share this important information with us.

Sincerely,

Chief Sharon Stinson Henry

c: Council, Rama First Nation
Jeff Hewitt, General Counsel
Karry Sandy-McKenzie, Coordinator Williams Treaties Nations
Chief Rodney Monague Jr., Portfolio Chief for Williams Treaties Nations

SSH/sw

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 3 Markham Urban Expansion to Adopted ROP 2009 - Submission Analysis

1

September 2, 2010

Submission Number
D05.2009. 001.3.004
D05.2009.002.3.003
D05.2009.003.3.004

Date of Submission:
June 16, 2010

Submission Author:
David Donnelly, Donnelly law on behalf of the Huron
Wendat Nation

**Comments or Requested Change to Proposed ROPAs 1, 2
and 3**

Analysis and Recommendation

Writing in response to the Email notification of ROPA's 1, 2 and 3 and the statutory meeting of June 16, 2010.

Reminding York Region of its duty to consult and accommodate the Huron-Wendat Nation and other First Nations concerning matters of cultural heritage.

The reports regarding Amendments 1, 2 and 3 - posted online in preparation for the June 16, 2010 statutory meeting - contain no references to Huron-Wendat cultural heritage in the area, nor do they set out any framework for consultation or accommodation. This is in direct contrast to the cultural heritage policies outlined in section 3.4 of the Regional Official Plan adopted by Council on December 16, 2009 which state, among other things, that it is the policy of Council to "require local municipalities to adopt official plan policies to conserve significant cultural heritage resources."

The Amendments deal with expansions of the Urban Area. The Policy framework and the detailed policies that will apply to the development of lands within these amendments areas are contained in the Regional Official Plan that was approved by the Minister of Municipal Affairs. The Region's revised land budget has been available on the Region's website since March 2010. The Region's website contains over 50 background reports to the official plan. In addition the June 2009 Draft of the Official Plan indicated the location of potential urban expansions areas by asterisks.

Local official plans, which are being prepared at this time are being circulated in advance of the offer to meet with First Nations. Regional Amendments 1, 2 and 3 were circulated in late May and then again in July in advance of a meeting with First Nations on August 26, 2010 held to review the amendments. The Huron Wendat were invited to this meeting but did not send either a First Nations representative or their legal representative Mr. Donnelly. Mr. Donnelly has been contacted by Regional staff to discuss his issues.

September 2, 2010

The Regional Official Plan is deficient in many respects regarding the consultation and accommodation of Huron-Wendat cultural heritage interests. However, it is strange to note that even those policies contained within the Regional Official Plan that are geared towards recognition and protection of Huron- Wendat cultural heritage assets and consultation of the Huron-Wendat Nation, do not seem to have been implemented in Amendments 1, 2 and 3 themselves.

The Huron-Wendat Nation has lost thousands of cultural heritage sites to development over the past several decades. Regulations under the Planning Act, R.S.O. 1990, c. P. 13 (the "Planning Act") do not require notification of First Nations before a planning decision is made by a municipal council or the Minister, unless the development site is located within one kilometre of a Reserve.

We request that York Region fully recognize its duty to consult and accommodate the Huron-Wendat Nation with respect to its cultural heritage interest in the York Region by informing the Huron-Wendat Nation of all cultural heritage assets that are put at risk through the urban expansion schemes put forward by Amendments 1, 2 and 3, and by ensuring that these assets are protected through consultation with the Huron-Wendat Nation for the implementation of effective protection and/or management plans.

Development of lands in Amendments 1, 2 and 3 are subject to the policies of the Region of York Official Plan. These policies recognize the rich cultural history of the Region including the presence of Huron Wendat as well as other First Nations and the Métis Nation.

The Planning Act provides for First Nations with Reserves within 1 kilometre of an application to be notified. Following on the work undertaken for infrastructure planning, recognizing the wider and significant impacts associated with the Regional Official Plan, Regional Planning staff has followed a far more rigorous and wider notification, engagement and consultation process for the Official Plan and for local official plans where the Region is the approval authority.

The Region has undertaken consultation and discussions with First Nations in the course of the development and approval of the ROP that exceeds the *Planning Act* requirements. The Region will continue to consult with First Nations.

The Huron Wendat did not attend the meeting to discuss Regional Amendment 1, 2 and 3 on August 26, 2010, however Regional staff has contacted Mr. Donnelly to discuss the issues he has raised. In addition the Region is preparing to issue a request for Proposal to undertake an Archaeological Management Plan for the Region to be carried out in 2010 and 2011. The consultant will undertake consultation on the Terms of Reference as well as ongoing consultation as part of the Steering Committee for this study. First Nations at the meeting held on

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 3 Markham Urban Expansion to Adopted ROP 2009 - Submission Analysis

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September 2, 2010

August 26, 2010, requested First Nations presence on the consultant selection panel and in crafting the Terms of Reference.

Mr. Donnelly has been contacted in regard to his clients' issues.

However, York Region has been slow to recognize its duty to consult and accommodate the Huron-Wendat Nation regarding their cultural heritage. We look forward to discussing these issues with you and beginning the process of meaningful consultation.



David R. Donnelly, MES LLB
david@donnellylaw.ca

June 16, 2010

Ms. Barbara Jeffrey, MCIP, RPP
Manager, Land Use Policy and Environment
Long Range and Strategic Planning
17250 Yonge Street,
Newmarket, ON L3Y 6Z1

Dear Ms. Jeffrey,

**Re: York Region Proposed Regional Official Plan Amendments 1, 2 and 3
Huron-Wendat Nation Consultation**

We act for the Huron-Wendat Nation in all matters pertaining to their cultural heritage in Ontario. I am writing to you in response to your June 10, 2010 e-mail regarding York Region's Official Plan, proposed Amendments 1, 2 and 3 to this Plan, and the June 16, 2010 statutory meeting in which they will be discussed.

As York Region contemplates amendments to its Official Plan that would authorize the urban expansion of the Town of East Gwillimbury, the City of Vaughan, and the Town of Markham, I would like to remind you of York Region's duty to consult and accommodate the Huron-Wendat Nation and other First Nations concerning matters of cultural heritage. The Huron-Wendat Nation has a constitutional right to be consulted and accommodated with respect to its cultural heritage interests. These rights have been recognized in the successful prosecution of the Ontario Realty Corporation in *R. v. Ontario Realty Corporation* (17 May 2004), Toronto (Ont. Ct. Jus.) and in *Hiawatha First Nation v. Ontario (Minister of Environment)*, [2007] 2 C.N.L.R. 186. As the Supreme Court of Canada stated in *Mikisew Cree First Nation v. Canada (Minister of Canadian Heritage)*, [2005] 3 S.C.R. 388 [Para. 54] "[c]onsultation that excludes from the outset any form of accommodation would be meaningless."

The reports regarding Amendments 1, 2 and 3 - posted online in preparation for the June 16, 2010 statutory meeting - contain no references to Huron-Wendat cultural heritage in the area, nor do they set out any framework for consultation or accommodation. This is in direct contrast to the cultural heritage policies outlined in section 3.4 of the Regional Official Plan adopted by Council on December 16, 2009 which state, among other things, that it is the policy of Council to "require local municipalities to adopt official plan policies to conserve significant *cultural heritage resources*." Policies 10 and 11 laid out in s. 3.4 state that it is the policy of Council:

10. To prepare, in partnership with First Nations, the Métis Nation, and other stakeholders a York Region Archaeological Resources Management Plan which considers:
 - a. the locations of significant or potentially significant archaeological resources, cultural heritage sites, ceremonial sites and sacred sites; and,
 - b. protocols for the protection and management of significant or potentially significant archaeological resources, cultural heritage sites, ceremonial sites and sacred sites.
11. That prior to approval of development or site alteration on lands containing significant or potentially significant archaeological resources, a plan for the protection and/or management of these resources will be developed, in co-operation with the local municipality and the Region, in accordance with provincial legislation and guidelines. If the archaeological resources pertain to First Nations and/or Métis Nation heritage, the protection and/or management plan will be developed in consultation with appropriate First Nations and Métis Nation communities. In situations where archaeological resources are to be preserved on site, the Region in consultation with local municipalities shall consider regulatory tools such as zoning restrictions and heritage easements.

The Huron-Wendat Nation cannot endorse the Regional Official Plan as adopted by Council on December 16, 2009, as it does not require the suspension of all Stage 3 and 4 archaeological licences issued without notification and consultation of the Huron-Wendat Nation or adopt the ossuary model for all authorized archaeological procedures.

The Regional Official Plan is deficient in many respects regarding the consultation and accommodation of Huron-Wendat cultural heritage interests. However, it is strange to note that even those policies contained within the Regional Official Plan that are geared towards recognition and protection of Huron-Wendat cultural heritage assets and consultation of the Huron-Wendat Nation, do not seem to have been implemented in Amendments 1, 2 and 3 themselves.

The Huron-Wendat Nation has lost thousands of cultural heritage sites to development over the past several decades. Millions and millions of artifacts, some of profound religious and historical value, have been scattered across private collections, warehoused improperly, abandoned and in a few notorious cases, thrown in the garbage.

Regulations under the *Planning Act*, R.S.O. 1990, c. P. 13 (the “*Planning Act*”) do not require notification of First Nations before a planning decision is made by a municipal council or the Minister, unless the development site is located within one kilometre of a reserve. The Huron-Wendat reserve is located outside Ontario. This means that the Huron-Wendat Nation has never and will never receive notice that sites of cultural significance to the Huron-Wendat Nation are scheduled for development or destruction. This violates the Huron-Wendat Nation’s constitutional right to be consulted and accommodated with respect to its cultural heritage interests.

It is shocking to us that regulations governing all aspects of the planning process such as consent applications (O. Reg. 197/96), plans of subdivision (O. Reg. 544/06), zoning by-laws (O. Reg. 545/06) and official plans (O. Reg. 543/06) all limit notification of First Nations to those First Nations living within one

kilometre of a reserve. In fact, these regulations put the rights of municipalities, ratepayers, school boards, conservation authorities, utilities, and in the case of O. Reg. 544/06, telecommunications infrastructure providers before the constitutionally entrenched rights of First Nations.

We request that York Region fully recognize its duty to consult and accommodate the Huron-Wendat Nation with respect to its cultural heritage interest in the York Region by informing the Huron-Wendat Nation of all cultural heritage assets that are put at risk through the urban expansion schemes put forward by Amendments 1, 2 and 3, and by ensuring that these assets are protected through consultation with the Huron-Wendat Nation for the implementation of effective protection and/or management plans.

George Smitherman, former Minister of Energy and Infrastructure, has encouraged city officials to consult Aboriginal communities regarding land use planning issues (see Attachment 1: Letter from George Smitherman to Linda Jackson (26 March 2009)). However, York Region has been slow to recognize its duty to consult and accommodate the Huron-Wendat Nation regarding their cultural heritage. We look forward to discussing these issues with you and beginning the process of meaningful consultation.

Yours Truly,



David R. Donnelly

Attachment.

cc. L. Lainé
H. Bastien
K. Sioui
C. Strahl

Minister of Energy
and Infrastructure

Office of the Deputy Premier

4th Floor, Hearst Block
900 Bay Street
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Tel.: 416-327-6758
Fax: 416-327-6754
www.ontario.ca/MEI

Ministre de l'Énergie
et de l'Infrastructure

Bureau du vice-premier ministre

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www.ontario.ca/MEI



MEI1826MC-2009-2

MAR 26 2009

Her Worship Linda D. Jackson
Mayor, City of Vaughan
2141 Major Mackenzie Drive
Vaughan ON L6A 1T1

Dear Mayor ^{Linda} Jackson:

At the Places to Grow summit on November 5, 2008, I presented my vision for a greener, more competitive and prosperous future for the Greater Golden Horseshoe. I was also pleased to announce this government's interest in investing in public infrastructure and working together with those municipalities that share this vision to implement the Growth Plan for the Greater Golden Horseshoe.

The *Places to Grow Act*, 2005 requires a council or municipal planning authority to amend its official plan to conform to the policies in the Growth Plan within three years of it coming into effect. The deadline for this work is June 16, 2009.

I recognize that lower-tier municipalities require certain planning work to be done by upper-tier municipalities before they can complete their own conformity amendments. Therefore, in certain circumstances, I am willing to consider an extension for lower-tier municipalities to bring official plans into conformity. In order to be considered for an extension of no more than one year, please provide a letter outlining the status of your conformity process, the reason for the required extension, how much time is needed to finalize conformity work and a brief work plan detailing the steps required to achieve conformity.

In the mean time, however, there is significant work that lower-tier municipalities can continue with in preparation for official plan amendments related to conformity, including an analysis of intensification opportunities and development of local policies to achieve complete, well-designed, transit-supportive and pedestrian-oriented communities.

In carrying out this Growth Plan conformity work, I strongly encourage you to engage those Aboriginal communities who have an interest in land use planning in your community, to ensure they have an opportunity to participate in this process.

If you have any questions regarding my announcement or the process and expectations for conforming to the Growth Plan, please feel free to contact Brad Graham, Assistant Deputy Minister for the Ontario Growth Secretariat, at 416-325-5803 or 1-866-479-9781.

Sincerely,

A handwritten signature in black ink, appearing to read "George Smitherman".
George Smitherman
Deputy Premier, Minister

September 2, 2010

Submission Number
D05.2009.002.3.004
D05.2009.003.3.005

Date of Submission:
August 3, 2010

Submission Author:
Toronto and Region Conservation Authority

**Comments or Requested Change to Proposed ROPA 2 and
3**

Analysis and Recommendation

Amendments comprise mapping changes and no new policy text to incorporate white belt lands into the urban boundary.

Acknowledge ongoing discussion over the past several years between TRCA staff and Regional staff regarding the results of the Humber, Don and Rouge watershed plans and how they should influence the extent and type of development that will take place in newly developing area in the upper reaches of the watersheds.

Pleased to see that the lands to be urbanized are less than what was suggested in earlier discussions. Also commend York for its newly adopted ROP that sets out the requirements for how development will be undertaken in New Communities. Similarly please to see leading edge policies on how redevelopment and intensification occurs

While policies are supportive, key to achieving sustainability and managing flood and erosion hazards will be on-ground implementation through the municipally lead planning process.

There may be a need to for new storm water quantity control in the Humber and Rouge watersheds

Regional staff agrees that implementation activities must reflect the policy framework.

September 2, 2010

Humber Watershed Plan indicates that hydrologic impact of development beyond the current urban boundaries must be examined on a watershed scale to determine appropriate storm water management criteria. TRCA continues to stress the importance of updating the hydrological study prior to development of white belt lands

TRCA also developing revised storm water management criteria for runoff volume reduction to mitigate erosion from increased volumes

Therefore need to include TRCA expertise early in the local planning process.

Notwithstanding this development in the white belt will significantly alter the hydrologic cycles and add to the impacts in downstream areas. Upper and Lower tier municipalities should consider the establishment of a development charges fund or alternative funding mechanism for the remediation of likely downstream erosions impacts to watercourses, infrastructure and communities.

Agreement has been reached with TRCA and member municipalities to update the hydrologic models for the Humber (2010 to 2011) and Rouge 2011 to 2012) to evaluate effects of flooding on downstream flood vulnerable areas and to confirm level of storm water control required before urban development takes place in the upstream areas subject to ROPA 2 and 3.

Both Regional and Local municipal official plans reflect the importance of early consultation with conservation authorities.

Regional staff from Finance and Planning has reviewed this suggestion and note that to be considered under Development Charges, regional policy would be required and remediation efforts would need to be identified as regional projects. Alternatively, the Region could become a funding partner with projects being considered as part of future Conservation Authority budgets requests. Regional staff will continue discussions with TRCA staff in this regard.

TORONTO AND REGION
Conservation
for The Living City

July 29, 2010

CFN 42103.01

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

Dear Mr. Waller:

RE: York Region Official Plan Amendments 2 & 3

Thank you for the opportunity to comment on the subject amendments which contain no new policy text, but are comprised of mapping changes to incorporate new "whitebelt" lands within the urban boundary in the City of Vaughan and Town of Markham.

We acknowledge the ongoing discussions over the past several years between Regional planning staff and TRCA staff regarding the results of the Humber, Don and Rouge River watershed plans and how they should influence the extent and type of development that will take place in newly urbanizing whitebelt lands in the upper reaches of these watersheds. We are pleased to see that the amount of new lands being proposed for inclusion within the urban boundary is less than what had been suggested during earlier discussions. We also commend York for its newly adopted official plan, and the extensive consultation with TRCA staff, that sets out the requirements for how development will be undertaken in these New Community Areas. In particular we note the policy requirements for:

- Comprehensive secondary plans prepared by multi-disciplinary teams in order to ensure an integrated and sustainable approach to the planning and design of the lands;
- Density that exceeds provincial Growth Plan targets;
- Preparation of Community Energy Plans to reduce energy demand, optimize passive solar gains, and make use of renewable, on-site generation and district energy options;
- Preparation of Master Environmental Servicing Plans (MESP's) to examine all water systems in a comprehensive and integrated manner to minimize stormwater volume and contaminant loads, protect sensitive groundwater areas, and maximize infiltration through an integrated treatment (train) approach, including (at-source controls and) techniques such as rainwater harvesting, constructed wetlands, bio-retention swales, green roofs, permeable surfaces, clean water collection systems, and the preservation and enhancement of native vegetation cover; and
- Preparation of a Regional Greenlands System Plan that, among other things, identifies hazard lands and hazardous sites and incorporates them into the Greenlands System, and identifies strategic areas for enhancement and restoration to maximize the quality of the entire Greenlands System.

Similarly, we are pleased to see some leading edge policies in the YROP outlining how re-development and intensification in existing urban areas will be planned, such as:

- Promotion of and requirements for sustainable buildings in terms of being more energy and water efficient, supporting local industry by buying materials locally, and providing healthier indoor environments;
- Planning for intensification areas to avoid special policy areas unless no other alternatives exist outside of the floodplain;
- Requiring comprehensive secondary plans for Regional Centres and key development areas along Regional Corridors to be prepared by local municipalities to include policies:
 - to ensure natural and recreational connections and enhancements to and within local and Regional Greenlands Systems;
 - to require innovative approaches to urban stormwater management, including alternatives to conventional retention ponds such as low-impact development, green roofs, and water capture and reuse.

While the policy regime at the Regional level is very supportive, the key to truly achieving sustainable communities and managing for flooding and erosion hazards will be the on-the-ground implementation of the policies through the local municipality-led planning process. As we previously stated in our letter of September 25, 2009, there may be a need for new stormwater quantity control requirements for the Humber River Watershed in Vaughan and Rouge River Watershed in Markham, potentially including the need to detain and control storm flows up to and including the Regional Storm. The hydrologic modeling completed as part of the updated Humber and Rouge River Watershed Plans indicated the potential for significant changes to the flood flows downstream, including substantial increases to Regional Event flows that would increase flood levels and expand flood lines in downstream areas. The updated Plans concluded that development in the watershed beyond areas designated for urban development in municipal official plans (based on 2005 urban boundaries) could increase flood flows and flood risk downstream.

The Humber Watershed Plan indicates that the hydrologic impact of development beyond the current urban boundaries must be examined on a watershed scale in order to determine appropriate stormwater management criteria for new development to prevent downstream impacts. These criteria may be significantly different from those currently applied according to the 2002 Humber River hydrology update. Accordingly, the TRCA continues to stress the importance of undertaking the updated hydrologic study prior to the development of "whitebelt" designated lands within the Humber River Watershed. This is necessary so that appropriate stormwater management criteria can be identified to mitigate the cumulative impacts the build-out of these areas could have on downstream regional flood levels in existing flood vulnerable communities. This issue also applies in the Rouge River watershed based on the amendment to expand urban boundaries in Markham, and resulting potential impacts on downstream intensification areas.

We acknowledge that our partner municipalities have agreed to fund and complete the updated hydrologic studies as soon as possible (Humber in 2010-2011; Rouge in 2011-2012), to evaluate the effects of flooding on downstream flood-vulnerable areas from proposed new developments and to confirm the level of stormwater control needed before any urban development occurs in the lands subject to ROPA 2 and 3 in the Humber and Rouge River Watersheds.

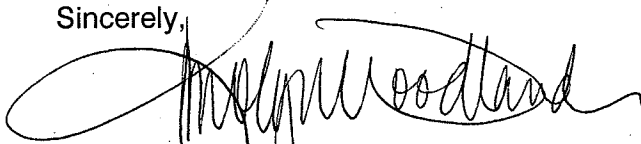
In addition, the Humber River, Don River and Rouge River watershed plans have identified the potential for significant erosion concerns, which could lead to the undermining of downstream infrastructure and impacts to aquatic habitat, from "business as usual" development in the whitebelt lands or redevelopment in the existing urban area. The TRCA is developing revised stormwater management criteria for runoff volume reduction to further mitigate these impacts, which aligns with the Region's objectives to minimize stormwater volumes as noted above.

To ensure that the new water management concepts for flood and erosion control are effectively incorporated into new developments, it will be critically important to incorporate TRCA's expertise early in the local planning processes. This means that TRCA needs to be involved in the development of the terms of reference for the Master Environmental Servicing Plans (MESPs) in order to properly fulfill our delegated responsibility for water and natural hazards management. The MESPs will need to address the findings of the updated hydrologic studies to inform water management techniques to achieve volume reduction through lot level practices. It has been our experience in the past that some plans of subdivision have been approved prior to or without the benefit of a completed MESP. We will rely on the YROP policies to ensure that future planning for these (ROPA 2 & 3) lands follows the appropriate order and process to ensure that water management and natural hazards are properly addressed for long term community and environmental sustainability.

Notwithstanding efforts to minimize stormwater volumes and mitigate flooding impacts, ongoing development in the whitebelt lands will significantly alter the hydrologic cycle in these areas and add to the impacts of existing development on erosion in downstream watercourses. We suggest that municipalities, both upper and lower tier, should consider the establishment of a development charges fund or alternative funding mechanism for the remediation of likely downstream erosion impacts to watercourses, infrastructure and communities. (Town of Markham, for example, has already put this initiative in place.)

Thank you for the opportunity to provide comments on ROPA 2 and 3. We look forward to our continuing involvement through the ongoing studies and planning for these lands. Should you require any clarification, please contact me at 416-661-6600, ext. 5214.

Sincerely,



Carolyn Woodland, OALA, FCSLA, MCIP, RPP
Director, Planning and Development
Ext. 5214

GDB/

cc: by email

B. Denney, D. Martin Downs, A. Freeman, L. Nelson, D. Lewis, B. Kiru, Q. Hanchard,
S. Meek, B. Williston, G. Wilkins, R. Ness, D. Burnett - TRCA
John Zippay, Commissioner of Planning - City of Vaughan
Jim Baird, Director of Planning - Town of Markham

Submission Number
D05.2009.001.3.006
D05.2009.002.3.005
D05.2009.003.3.006

Date of Submission:
August 24, 2010

Submission Author:
York Region District School Board

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

Analysis and Recommendation

Thank you for your correspondence regarding the Proposed Amendments 1, 2, 3 to the Official Plan for the Municipality of York. We have no comments at this time but would like to continue to be included in future correspondence. We will be bringing an information report to our trustees in September on the proposed Official Plan Amendments.

Letter confirms receipt of our communications.

York Region will continue to keep the York Region District School Board informed about the status of Proposed Regional Official Plan Amendments 1, 2 and 3.

Received August 24, 2010

D05.2009.003.3.006

From: Luk, Gilbert [mailto:gilbert.luk@yrdsb.edu.on.ca]
Sent: Tuesday, August 24, 2010 3:57 PM
To: Elliott, Trish
Subject: Proposed Amendments to York Region Official Plan

Hello Trish,

Thank you for your correspondence regarding the Proposed Amendments 1, 2, 3 to the Official Plan for the Regional Municipality of York. We have no comments at this time but would like to continue to be included in future correspondence. We will be bringing an information report to our trustees in September on the proposed Official Plan Amendments.

Regards,

Gilbert Luk

Planner – Planning & Property Development Services
York Region District School Board
60 Wellington St. West, Aurora, ON, L4G 3H2
Tel: (905) 727-0022 ext 2439| Fax: (905) 727-0775
Email: gilbert.luk@yrdsb.edu.on.ca

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

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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

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September 2, 2010

**Ministry of
Municipal Affairs
and Housing**

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**Ministère des
Affaires municipales
et du Logement**

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Télécopieur : 416 585-6882
Sans frais : 1 800-668-0230



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.

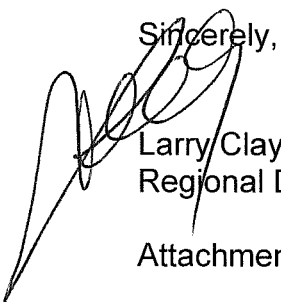
You will note in the Ministry Staff Report that we acknowledge the Region has undertaken a land budget exercise whose methodology is consistent with Provincial policy. However, prior to adoption, the Region should consider modifying these ROPAs with respect to the location, size and/or timing of approval,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

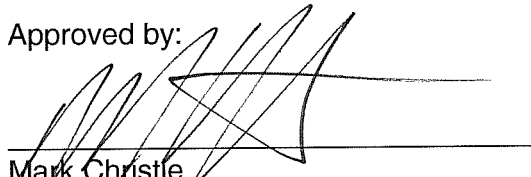
Prepared by:



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

Date: 08-17-10

Approved by:

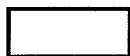
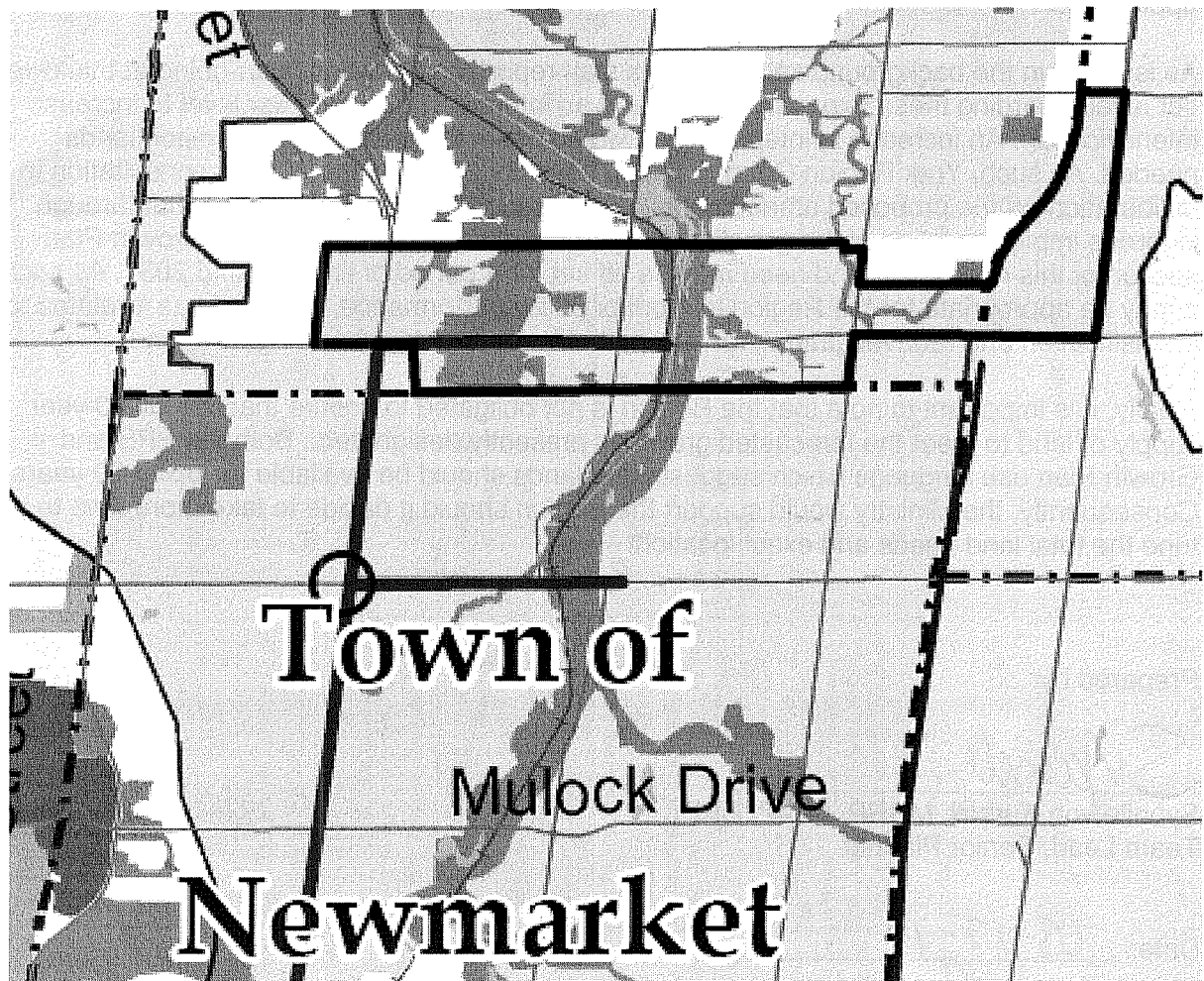


Mark Christie
Manager, Community Planning and Development

Date: Aug 17. 2010

ATTACHMENT 1

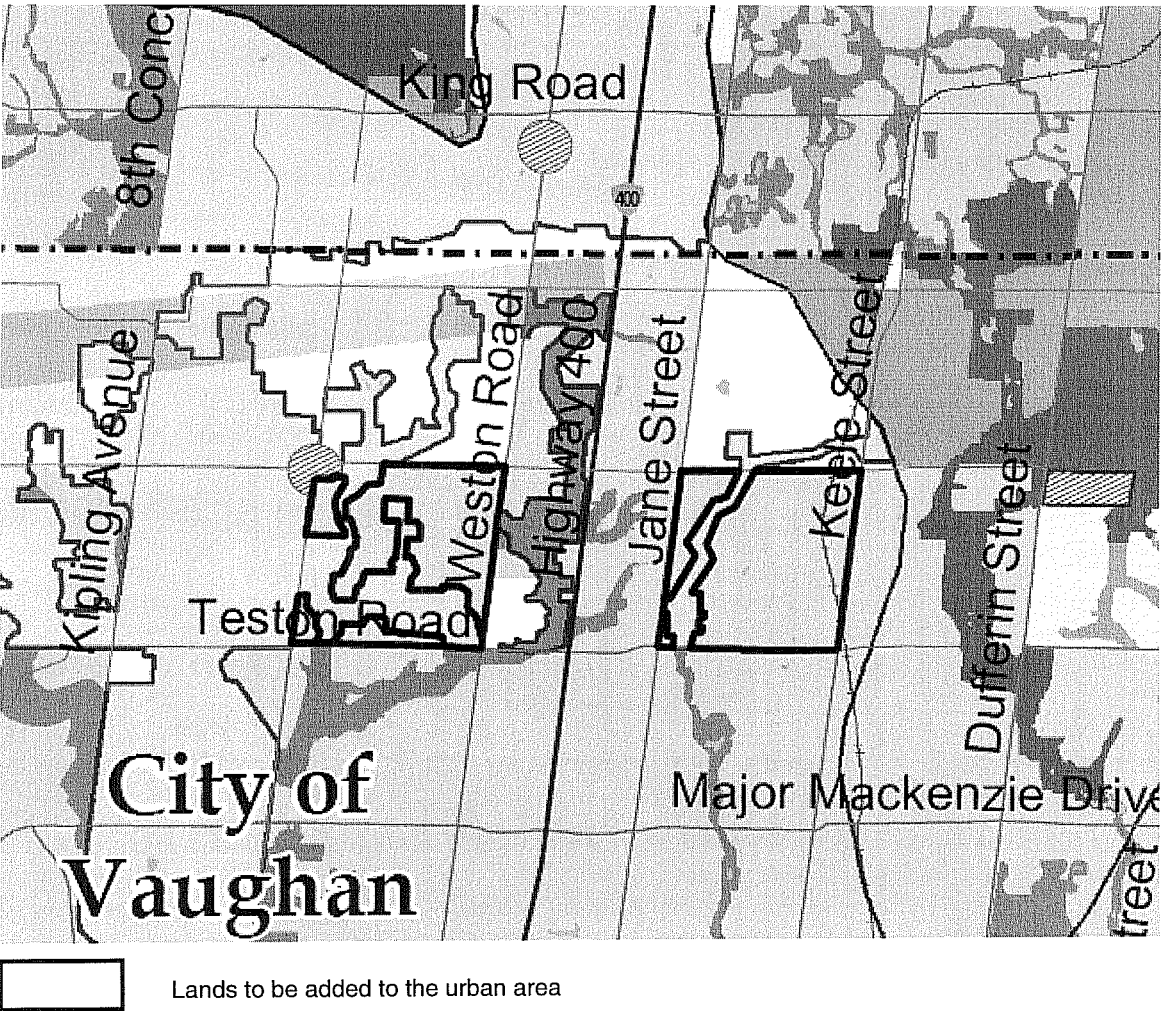
ROPA 1 – East Gwillumbury



Lands to be added to the urban area

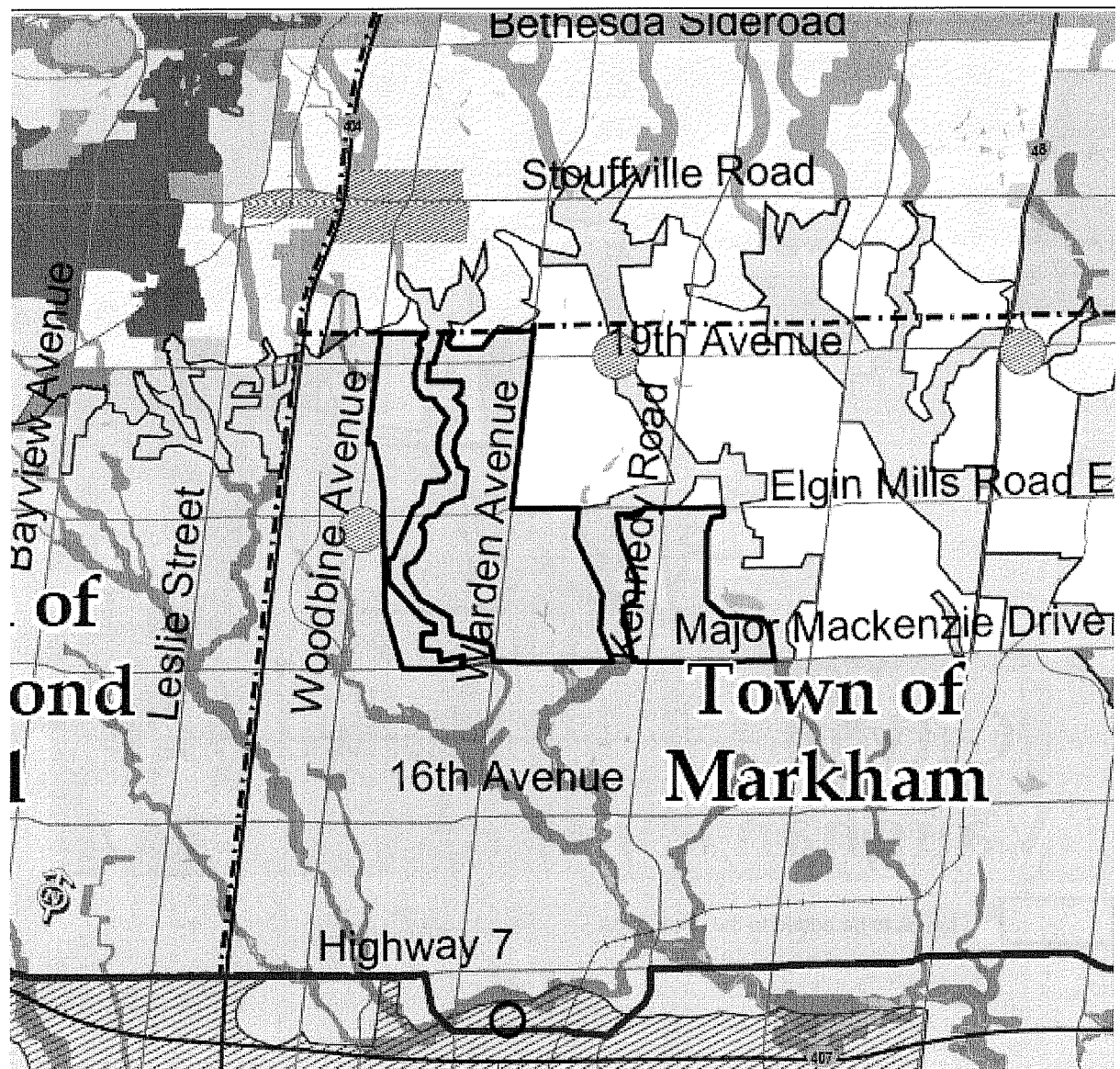
ATTACHMENT 2

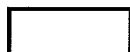
ROPA 2 – City of Vaughan



ATTACHMENT 3

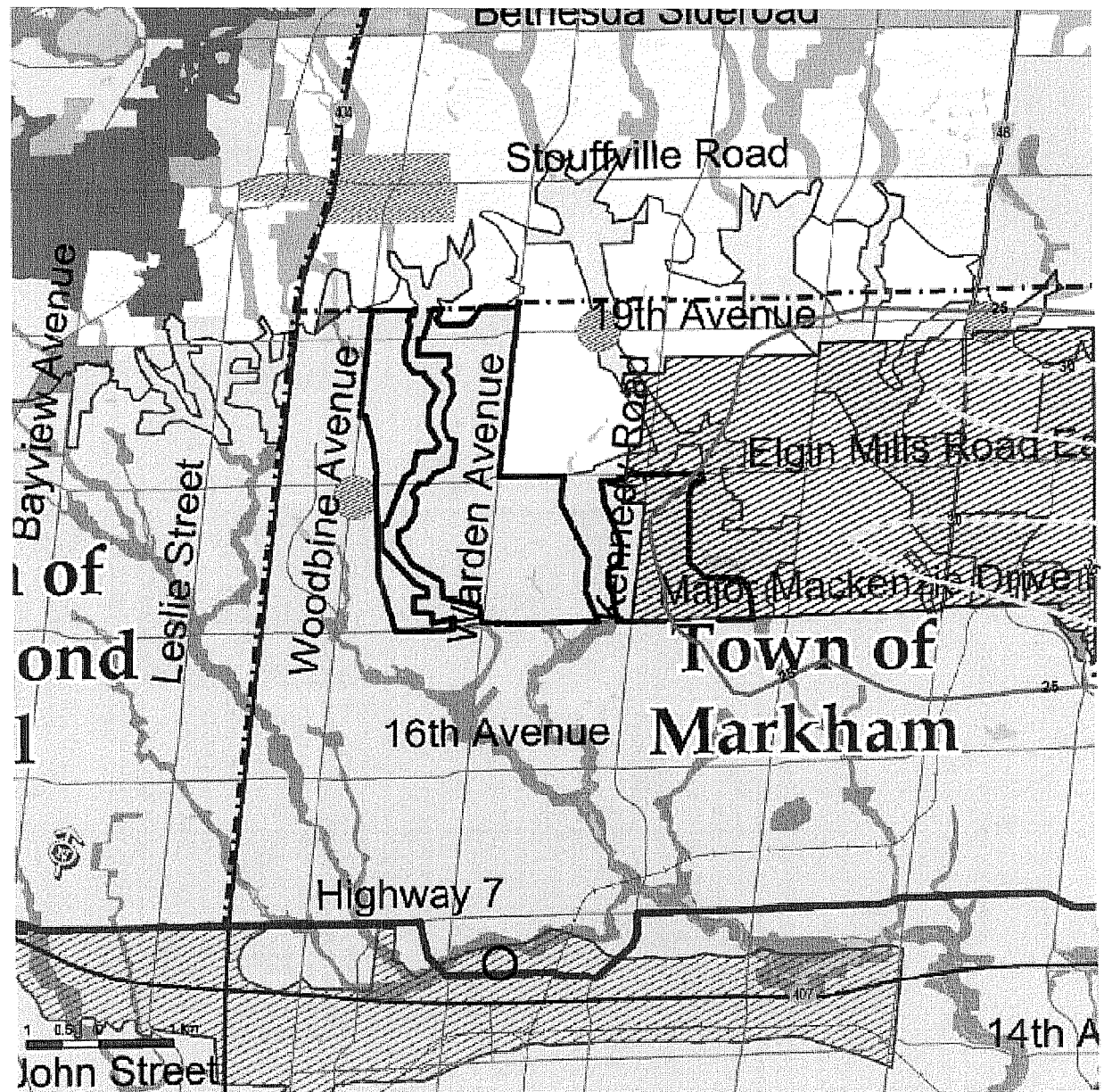
ROPA 3 – Town of Markham



 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:

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;
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.

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.

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**.

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 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.

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**”.

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:

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.... “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

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“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 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 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" 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”

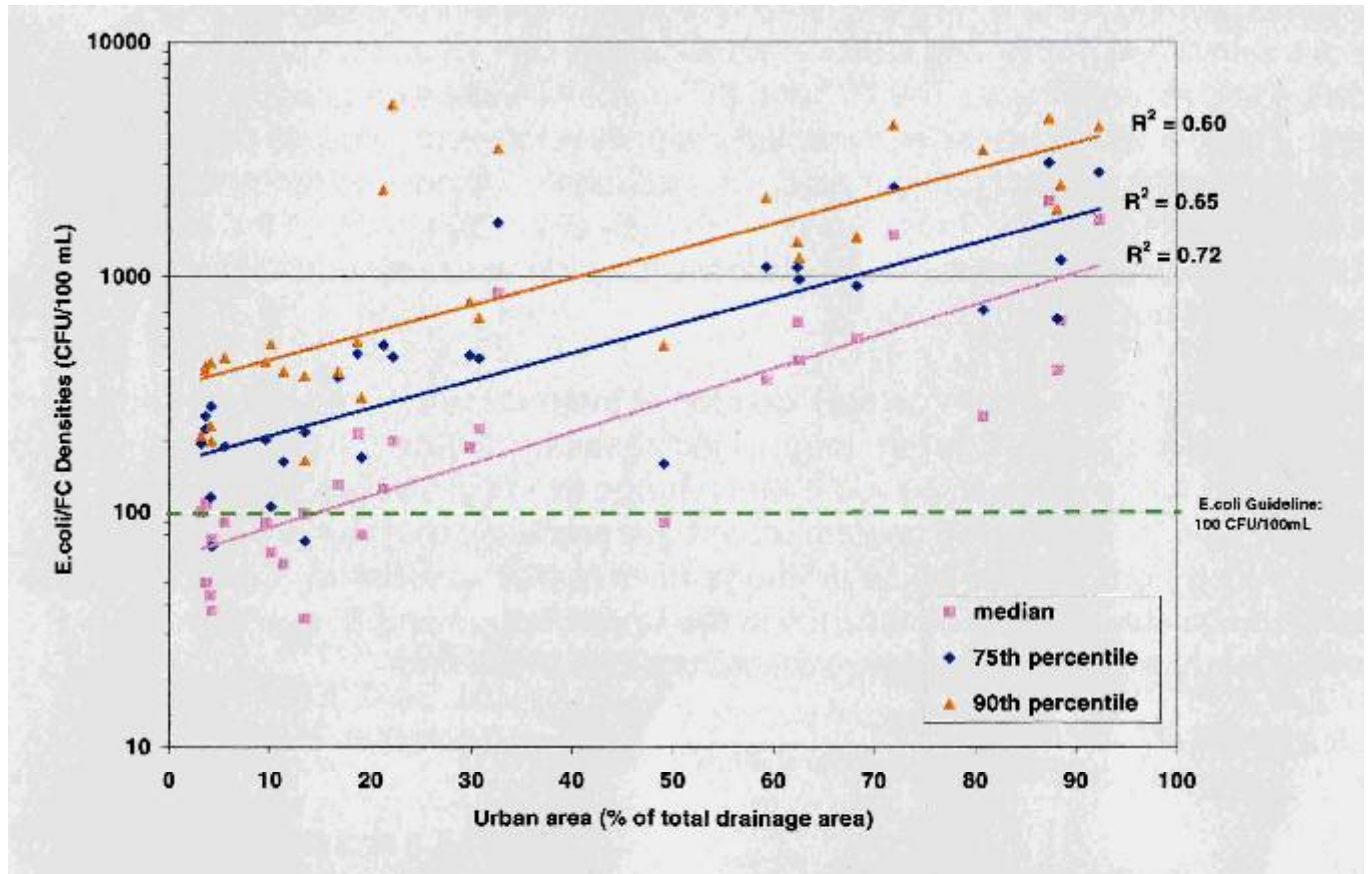
Source: Rouge River Watershed Strategy Scenario Modeling and Analyses Report
Surface Water Quality Section 4.2.9 Summary and Conclusions, p.4.2.30

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

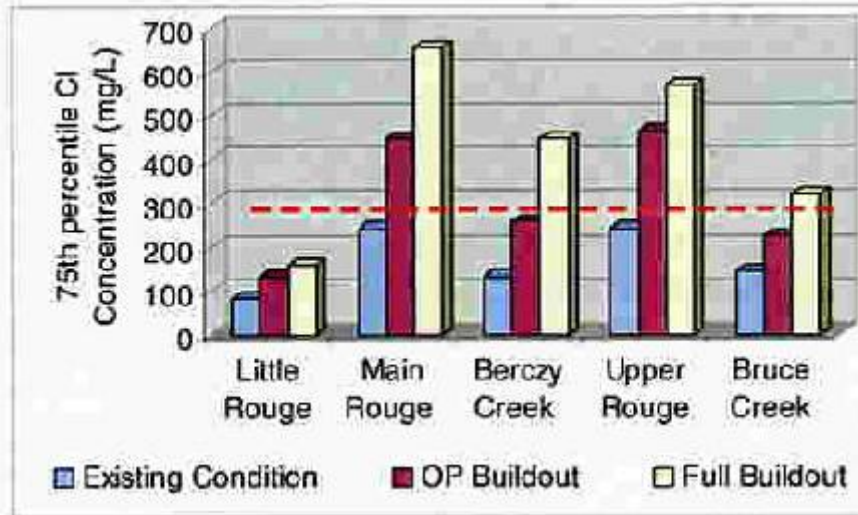
The MOE Standard is less than 100 E.coli/100 ml water for safe human contact with surface water



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



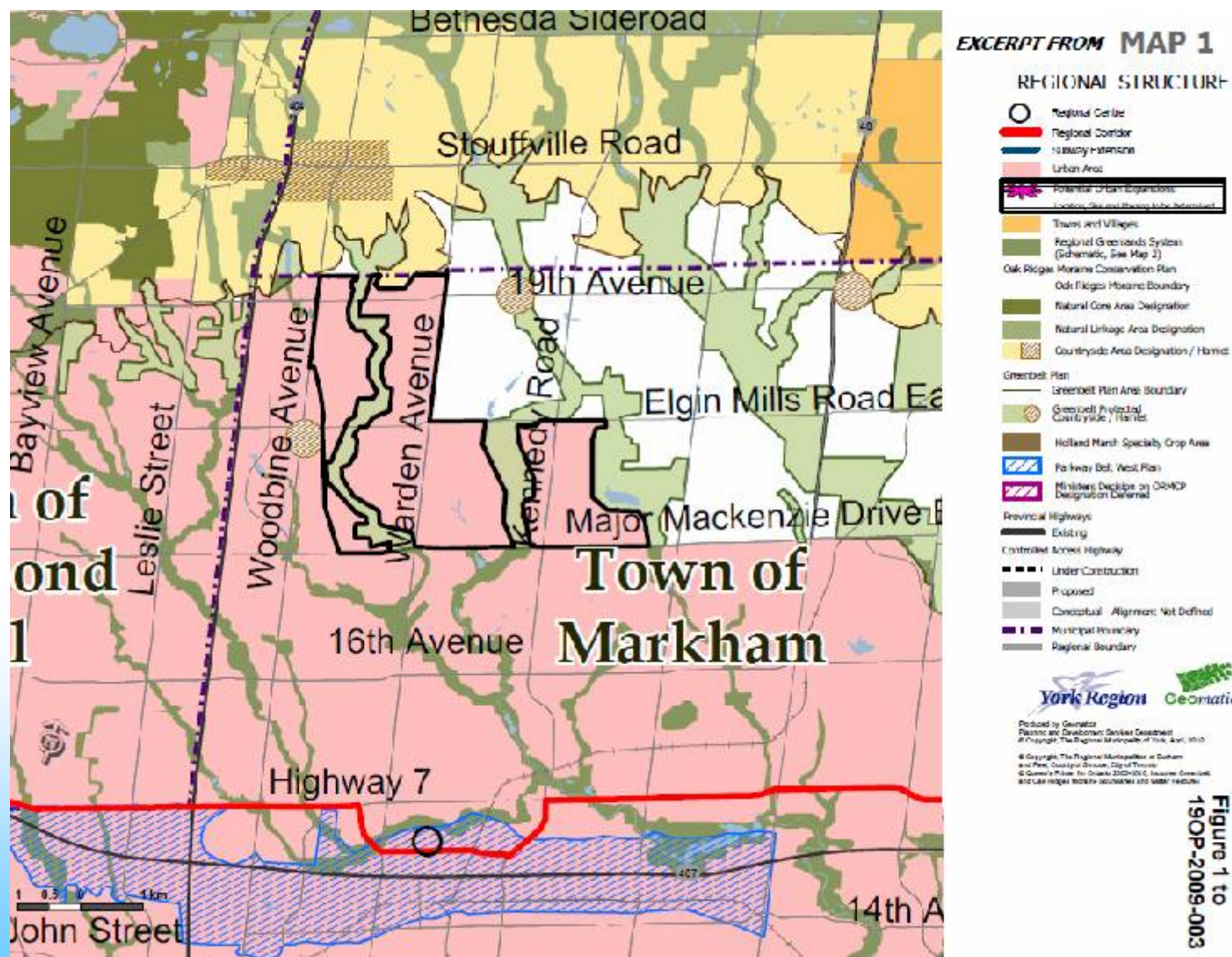
Markham Trees in Wood-chip Piles only 5% forest cover remains



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

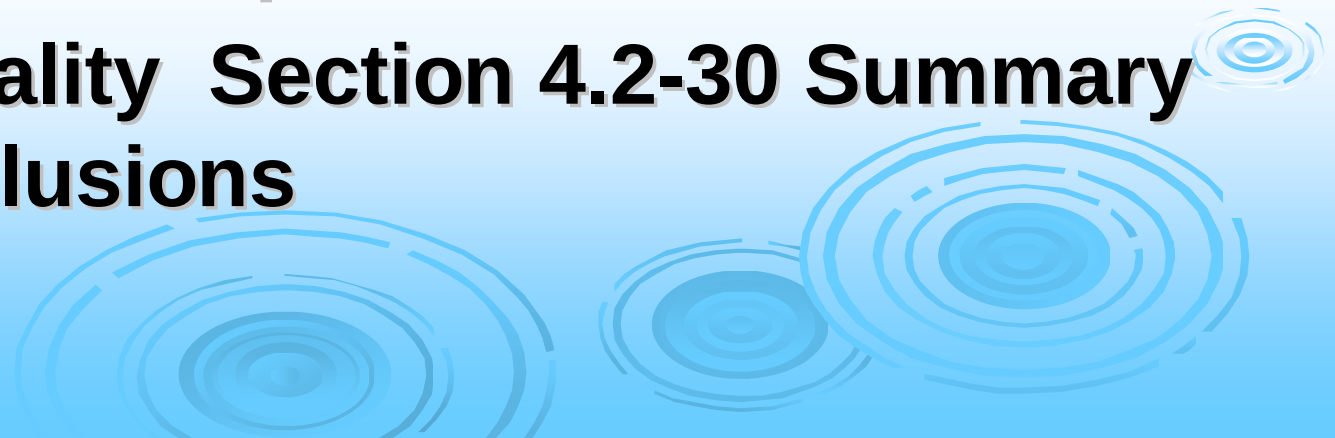
- *Provincial Policy Statement 2.2.1* states:

“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**

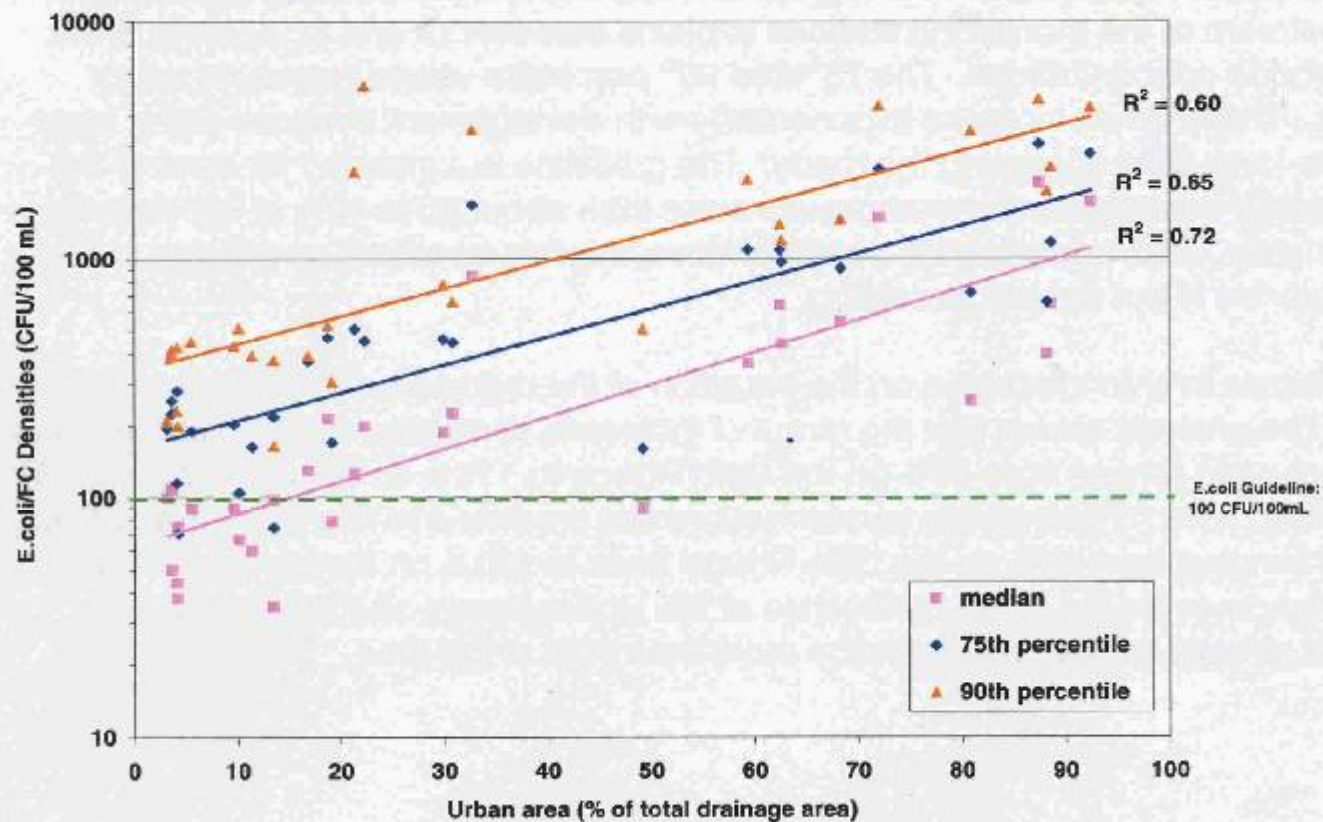


Polluted Urban Runoff entering Robinson Creek Trout Stream, Markham



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.

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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.