

6

REGIONAL OFFICIAL PLAN AMENDMENT (ROPA) NO. 4 – RICHMOND HILL/LANGSTAFF GATEWAY PROVINCIAL URBAN GROWTH CENTRE AND REGIONAL CENTRE

The Planning and Economic Development Committee recommends:

1. **Receipt of the communication from Mark Flowers, Solicitor, Davies Howe Partners, on behalf of Yonge Bayview Holdings Inc., dated September 6, 2011; and**
2. **Adoption of the recommendations contained in the following report dated August 10, 2011 from the Acting Commissioner of Planning and Development Services.**

1. RECOMMENDATIONS

It is recommended that:

1. Regional Council approve Regional Official Plan Amendment (ROPA) No. 4, in principle.
2. The Commissioner of Planning be directed to bring the by-law approving the Amendment back to Council for formal adoption, pursuant to Section 17 (22) of the *Planning Act*, when the applicable parts of the 2010 Regional Official Plan have been approved by the Ontario Municipal Board.

2. PURPOSE

This report recommends the approval by the Region of Regional Official Plan Amendment (ROPA) No. 4 to the 2010 Regional Official Plan. A statutory public meeting under the *Planning Act* was held on June 15, 2011 to receive comments on the proposed Amendment. Arising from that meeting, it was recommended that Regional staff prepare a final version of the Amendment for approval in the Fall 2011 (refer to Report No. 6, Clause No. 7 of the Regional Planning and Economic Development Committee, June 15, 2011). This report and related recommendation is consistent with that direction.

3. BACKGROUND

ROPA 4 was initiated by the Region in recognition of the Regional Centre's strategic importance, and to ensure the coordinated planning and implementation of a complete and successful urban community

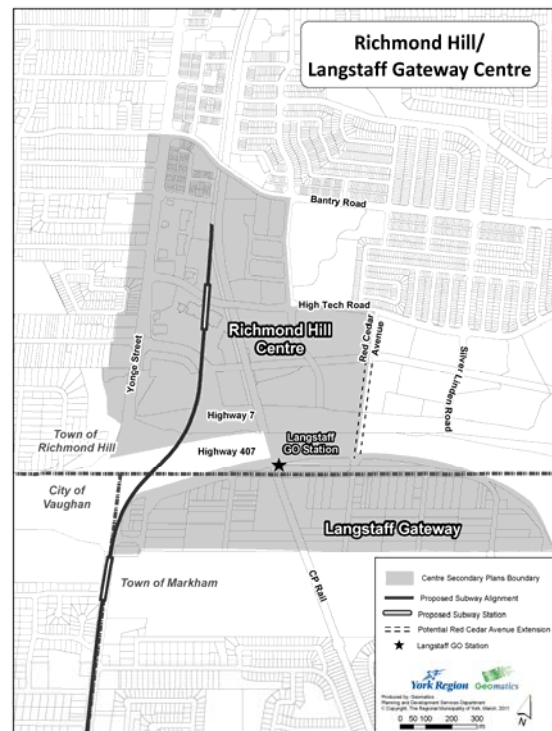
Proposed Regional Official Plan Amendment No. 4 (ROPA 4) was initiated and drafted by the Region in recognition of the strategic importance, complexity and range of issues associated with planning the development of the Richmond Hill/Langstaff Gateway Provincial Urban Growth Centre and Regional Centre (the "Regional Centre"). The Regional Centre is one of the most important emerging intensification and transit nodes in the Greater Toronto Area, and represents an opportunity to achieve the city-building objectives of the Province, the Region, and the Towns of Markham and Richmond Hill.

Ensuring the successful planning and implementation of the Regional Centre is an important Regional interest, given that the Regional Centre is: centrally located at the intersection of the Yonge Street and Highway 7 Regional Corridors; situated within two local municipalities, and; a hub where five modes of transit are planned to converge, including the extension of the Yonge Subway. The implementation of the Regional Centre policies is also dependant on coordinated efforts and investments to deliver the required infrastructure and services.

The role of the Region, and ROPA 4, is to guide and support the local planning for the Regional Centre undertaken by the Towns of Markham and Richmond Hill

The Towns of Richmond Hill and Markham have each initiated concurrent planning processes for their segments of the Regional Centre, beginning in early-2009 and mid-2008, respectively. Emerging through each process is a land use vision for the Regional Centre which is urban, mixed-use, dependent on transit including the extension of the Yonge Subway, and well-designed. The Regional Centre, in total, is planned to accommodate approximately 48,000 residents and 31,000 jobs.

Based on the work undertaken, Markham has completed a secondary plan (OPA 183) for its segment of the Regional Centre, which was approved by the Region in June 2011. The Town of



Richmond Hill has included guiding policies for the Regional Centre in the Town's new Official Plan, which was approved by the Region in May 2011 and is under appeal before the Ontario Municipal Board.

The proposed policies of ROPA 4 are designed to make the Regional Centre a reality, and are based on the results of the Region-led planning coordination process for the Regional Centre

The Region in mid-2009 initiated a planning coordination process with the Towns of Markham and Richmond Hill, and the neighbouring City of Vaughan, in recognition of the importance of the Regional Centre and range of issues associated with its planning and implementation. The process has been shaped by, and has produced, the following to inform the planning for the Regional Centre:

- Shared Principles, which have been organized around issues of common interest (refer to Report No. 6, Clause No. 8 of the Regional Planning and Economic Development Committee, September 9, 2009);
- Recommendations arising from staff sub-groups on specific issues (refer to Report No. 3, Clause No. 2 of the Regional Planning and Economic Development Committee, April 7, 2010) ;
- A draft policy framework for a Regional Official Plan Amendment to guide the Regional Centre (refer to Report No. 4, Clause No. 3 of the Regional Planning and Economic Development Committee, April 6, 2011), and;
- The results of supplemental studies initiated by the Region in the areas finance, transportation and servicing (refer to Report No. 6, Clause No. 7 of the Regional Planning and Economic Development Committee, June 15, 2011).

A statutory public meeting was held on June 15, 2011 to provide information on the proposed policies, and to receive comments

An information report was tabled, and a presentation made, at the June 15, 2011 meeting of the Regional Planning and Economic Development Committee to provide information and receive comments on draft proposed ROPA 4. Deputations at the public meeting were made by two parties (Pat Berne, Principal, on behalf of Yonge Bayview Holdings Inc., and Mark Flowers, Lawyer, Davies Howe Partners LLP, on behalf of Bayview Holdings Inc.), representing development interests in the Richmond Hill segment of the Regional Centre. Each offered general support for ROPA 4, while expressing that their existing development permissions be maintained and respected, and that planning and development requirements for the Regional Centre, overall, should be flexible.

Public notice of the meeting was provided through advertisements placed in the following newspapers: Markham Economist & Sun, The Liberal and The Thornhill Liberal on May 21, 2011; Vaughan Citizen on May 22, 2011, and; Toronto Star on May 24, 2011. Notice was also provided through the York Region web site and through regular mail on May 20, 2011 to prescribed bodies (e.g. First Nations, School Boards, etc.).

While the public meeting fulfilled the statutory requirements for public consultation under the *Planning Act*, Regional staff have been consulting with interested parties for months leading up to the meeting. The Region-led planning coordination process, for example, provided a forum to present earlier drafts of the proposed ROPA 4 policies and to receive feedback. Regional staff also met separately with staff from Markham, Richmond Hill, and Vaughan to discuss the issues and possible approaches. The feedback received, and the issues raised, through this process is outlined in Section 4 of this report.

4. ANALYSIS AND OPTIONS

PURPOSE AND EFFECT OF ROPA 4

The policies of ROPA 4 provide a vehicle for coordination, and a dialogue among the planning partners, to make the Regional Centre successful at all stages of development

The policies of ROPA 4 build on the City Building and Regional Centres policies of the 2010 Regional Official Plan. The 2010 Regional Official Plan is currently before the Ontario Municipal Board (OMB) for approval; therefore, this report recommends “in principle” approval of ROPA 4 by Regional Council. The formal approval of ROPA 4 under the provisions of the *Planning Act* is recommended following the approval of the 2010 Regional Official Plan by the OMB.

ROPA 4 provides further direction for implementation over the long term by establishing a framework to make the right decisions at the right time. The focus and main purpose of the Amendment is implementation, and establishing a framework for decision-making and dialogue. ROPA 4 is attached to this report as *Attachment 1*.

While the continued urbanization and intensification of the Regional Centre is consistent with Regional policy, it was determined early in the planning coordination process for the Regional Centre that site-specific policies would enhance its planning and implementation. Such policies would: identify the specific Regional interests in the Regional Centre, including the extension of the Yonge Subway; recognize multi-jurisdictional coordination; direct and reinforce development phasing requirements; ensure continual monitoring, and; support the implementation of secondary plan policies by requiring Regional approval for development that is not consistent.

The policies of ROPA 4 respond to these objectives, as set out in the policy framework presented to the Regional Planning and Economic Development Committee in April 2011.

ROPA 4 provides Regional leadership on the sequencing of development with infrastructure and services, and the achievement of a mixed-use and transit-dependant community

There is a substantive Regional interest in the planning and implementation of the Regional Centre. The strategic location of the Regional Centre, the convergence of transit modes, and the interests of multiple jurisdictions, combined, requires an active role for the Region in the build-out of the Regional Centre. Furthermore, the information acquired through the Region led planning coordination process and related studies, which are now complete, has highlighted specific details that need to be addressed by the Region for the Regional Centre. Accordingly, the following is a brief description of the purpose of each of the proposed ROPA 4 policies.

Policy 5.4.28 specifies secondary plan requirements, in addition to the existing criteria for Regional Centre secondary plans, that must be included for the Richmond Hill/Langstaff Gateway Regional Centre. These additional criteria describe the critical components of development phasing plans, with an emphasis on: the coordination of infrastructure and services with development; the achievement of non-residential land uses; promoting travel choices, and; continual monitoring. These requirements have been informed by the completed Region-led studies, including transportation.

Policy 5.4.29 confirms that the planning requirements of the phasing plans, as described in the previous policy, must be achieved before moving to the next phase. This reinforces local planning implementation, and ensures that key Regional interests are addressed at each phase.

Policy 5.4.30 requires Regional review and approval for proposals that do not meet the requirements of the secondary plans for the Regional Centre. The Region's review will be based on Regional and Provincial interests, and consistency with the city-building objectives of the Regional Centre.

Policy 5.4.31, which is a new proposed policy added to ROPA 4 following the public meeting, emphasizes that a key Regional interest and requirement in the build-out of the Regional Centre is the construction of transportation facilities that will link and unify the Regional Centre. Such transportation facilities would include the extension of Cedar Avenue under Highway 407 and the implementation of a multi-use corridor (e.g. pedestrians and cyclists) running parallel to the CN Rail.

Continual monitoring of development and infrastructure within the Regional Centre will be essential for decision-making

The establishment of a monitoring program to continually assess the build-out of the Regional Centre, as a secondary plan requirement, is an important component of ROPA 4. Monitoring will inform decision-making throughout the planning and development lifecycle of the Regional Centre. Important aspects to monitor and assess throughout

build-out include: travel patterns by mode, with a particular emphasis on the number of trips made by transit, carpooling, and cycling; the amount and cost of parking, and; the mix of development (e.g. office and retail) being constructed. The results of the monitoring will help ensure that the release of each phase of development is consistent with the requirements of the secondary plan.

A formal and sustained program for the monitoring will need to be developed; through a partnership among the Region, and the Towns of Markham and Richmond Hill, and possibly other agencies and/or the developers. Establishing the details of the monitoring program will be an important part of the implementation and build-out of the Regional Centre. The Region has a strong interest in this aspect of planning implementation.

Policies added to ROPA 4 to further address transportation connectivity, and to ensure that Provincial interests will be incorporated into future decision-making

The version of ROPA 4 being recommended for approval, as attached to this report, includes minor changes to the preamble and some additions to the proposed policies as compared to the version that was presented at the June 15, 2011 public meeting. These changes are consistent with the intent of ROPA 4, respond to the coordination issue raised at the public meeting, and improve the clarity of the proposed policies and reinforce the purpose and affect of the Amendment.

The proposed changes to the Amendment are as follows:

- A new policy, Policy 6.4.31, to emphasize the importance of providing infrastructure and service improvements (e.g. road linkages) to connect the Richmond Hill and Markham segments of the Regional Centre.
- Minor wording changes to the preamble, including the substitution of the term “urban” for “high density”, in order to emphasize that density is not the only measure by which urban development is achieved.
- “Human services” is added to the list of uses in Policy 6.4.28(d), to expand on the requirement for the inclusion of “civic uses” at each phase of development.
- Adding “Provincial” interests to the criteria against which Amendments to the secondary plans would be reviewed and approved by the Region.

The proposed changes, above, are underlined in the Amendment attached to this report. The Notice of Decision will not contain the underlining.

PLANNING POLICY CONFORMITY

The Provincial Policy Statement and Provincial Growth Plan for the Greater Golden Horseshoe Policies are further supported by the ROPA 4 policies

The planning and development framework for the Regional Centre undertaken by the Towns of Markham and Richmond Hill is consistent with, and will serve to advance, the objectives and requirements of Provincial legislation; with the aim to achieve intensification, redevelopment, and to provide a range of housing and employment

opportunities. The proposed policies of ROPA 4, which are intended to provide leadership and implementation to make the Regional Centre a reality, are not only consistent with but will serve to advance the Province's city-building goals as set out in the Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe (Growth Plan).

The Provincial Policy Statement (PPS) sets out matters of Provincial Interest with which planning and development must be consistent; across a range of interests including intensification, housing, employment, infrastructure and the natural environment. The Growth Plan, which builds on and provides more specific direction regarding the PPS objectives, establishes the urban structure for the Greater Golden Horseshoe and the specific requirements for the planning and development of Urban Growth Centres. Especially relevant to the Richmond Hill/Langstaff Gateway Regional Centre from a Regional perspective, and with which ROPA 4 is consistent, are those Provincial requirements regarding the:

- Coordination of the planning and implementation of development across various jurisdictions and interests (Section 1.2 of PPS, Section 5.4.2 of Growth Plan).
- Coordination and delivery of the required infrastructure and services (Section 1.6 of PPS, Section 3.2 of Growth Plan).
- Achievement of compact and mixed used development, and the specific density requirements for Urban Growth Centres (Section 1.1.3 of PPS, Section 2.2.4 of Growth Plan).
- Monitoring of development, over time, to ensure consistency with objectives and to inform changes that may be required (Section 4.0 of PPS, Section 5.4.3 of Growth Plan).

ROPA ensures that specific Regional interests are addressed as the Regional Centre develops

While the planning and development framework for the Regional Centre, as put in place by Markham and Richmond Hill, is consistent with the Regional Official Plan, it was determined through the planning coordination process that Regional policies specific to the Richmond Hill/Langstaff Gateway Regional Centre would ensure the coordination of planning and implementation of the Regional Centre.

The policies of ROPA 4 build on and are complementary to the existing policies of the Regional Official Plan (2010), and especially the City Building and Regional Centres policies of Section 5.4. These policies, together with the proposed policies of ROPA 4, are consolidated in the *Appendix* to the Amendment to show: how ROPA 4 relates to the balance of the Section, and; that the planning of the Regional Centre is not only guided by ROPA 4, but also by the existing policies pertaining to the Regional Centres including the comprehensive listing of secondary plan requirements detailed in Policy 5.4.6. Such requirements include sustainable buildings, public art, and affordable housing.

CONSULTATION AND COMMENTS RECEIVED

Region-led planning coordination process for the Regional Centre has provided a forum for discussing ROPA 4, with the support of the planning partners

Adding specific Regional policies to guide and support the planning and development of the Regional Centre is supported by the participants in the Region-led planning coordination process, including the Towns of Markham and Richmond Hill. The Province, which is monitoring the process through the Office of the Provincial Development Facilitator, supports the leadership role and approach of the Region as indicated in the Provincial letter of June 2, 2011, stating, “The Province is supportive of the Region taking steps to establish a comprehensive policy framework to guide development of the Richmond Hill Langstaff Gateway UGC.”

There has not, however, been consistent agreement on the details that should be contained in the Amendment. For example the Town of Richmond Hill, in responding to an earlier draft of ROPA 4, has suggested that the Amendment should more directly reflect the Shared Principles that were developed and agreed to by the planning partners at the beginning of the coordination process. The Town’s detailed comments are included in this report as *Attachment 2*. In contrast, the Town of Markham had earlier expressed that the policies should be general in nature; leaving specific details to the secondary plans.

The current and recommended version of ROPA 4 has been crafted to achieve an appropriate balance of detail to reflect the feedback that has been received. Comments from the Town of Markham, attached to this report as *Attachment 3*, indicate that Town staff are satisfied with ROPA 4.

Changes have been made to the approval version of ROPA 4 to specifically address comments received from Richmond Hill and the Province

A number of changes have been included in the current version of ROPA 4 to address the comments received from Richmond Hill staff. Highlights of these changes are minor edits to the Basis and Purpose sections of the Amendment, in addition to changes to the proposed policies. Specifically, the policy changes clarify that “civic uses” include “human services”, and that exemptions from Regional approval of local OPAs within the Regional Centre are not permitted.

A number of other issues raised by Richmond Hill are also addressed by the policies of the 2010 Regional Official Plan (ROP); in particular, the request by the Town to include the Shared Principles in ROPA 4. The Shared Principles were derived from the intent and policies already contained in the ROP. The re-statement of these principles, such as the resident-to-employee ratio of 1:1, is not recommended as it is included in policy 5.4.20 of the ROP as a long term target, and applies to all Regional Centres.

Richmond Hill also raised the issue of coordination, which is intended to continue through the implementation process; especially in the areas of monitoring and the investigation of innovative approaches (e.g. waste collection). The protection of employment lands was also raised, and is adequately addressed through the existing 2010 ROP policies. The broader 2010 ROP policies also provide further direction as to the requirements to be addressed in Secondary Plans in policy 5.4.6 including mobility plans, phasing plans, and storm water management.

The current version of ROPA 4 also addresses the comments received from the Provincial Ministry of Municipal Affairs and Housing, which are attached to this report as *Attachment 4*, by specifically including an assessment of Provincial interests as part of the consideration of any amendments to the Richmond Hill/Langstaff Gateway Regional Centre Secondary Plans.

Relationship to Vision 2026

The policies of ROPA 4 are tailored to the planning and implementation of the Richmond Hill/Langstaff Gateway Regional Centre. The successful build-out of the Regional Centre is highly consistent with and will serve to advance all eight goal areas of Vision 2026, and especially “Quality Communities for a Diverse Population”, “Managed and Balanced Growth”, “Infrastructure for a Growing Region” and “Engaged Communities and a Responsive Region”.

5. FINANCIAL IMPLICATIONS

A broad-based and strategic finance study is nearing completion; to provide information for future decision-making to support the Regional Centre over time

The financial strategy study initiated by the Region that assess the costs and revenues associated with building the Regional Centre, and to make recommendations on the staged financial tools to support its build-out, is nearing completion. The study will provide information to support the review of development approvals as they proceed. The associated costs of providing the required infrastructure will be incorporated in the review of the 2012 Regional Development Charge By-law update. While current financing sources (e.g. development charges, taxes, fees, etc.) are used to support developments of this nature, the study recommends that new or expanded financial incentives and tools to enhance the financial viability of the Regional Centre be considered. The study results are intended to minimize municipal financial risk, while ensuring that the Regional Centre is viable.

Financial considerations will form part of the Region's review and approval of any proposed amendments to the Regional Centre secondary plans

The Region has a financial interest in ensuring the successful staged build-out of the Regional Centre. For example, it is important to ensure that Regional infrastructure investments coincide with, and are financially supported through, appropriate sequenced development. It is for this reason that ROPA 4 includes a policy (5.4.30) to require the consideration of financial implications as part of the Region's review of any amendments to the secondary plans for the Regional Centre. The results of this policy will help to ensure that any proposed amendments do not negatively impact the Region's long term financial sustainability.

6. LOCAL MUNICIPAL IMPACT

ROPA 4 provides leadership, consistency and support for the planning and implementation of the Regional Centre by the Towns of Markham and Richmond Hill

New Regional Official Plan policies tailored to the Richmond Hill/Langstaff Gateway Regional Centre, as proposed through ROPA 4, will provide leadership and support for the local planning of the Regional Centre; providing clarity and certainty with respect to development requirements across the Regional Centre. The Towns of Markham and Richmond Hill have provided input into the drafting of ROPA 4, and the version being recommended for approval reflects those comments, as do the broader policies of the 2010 ROP. Regional staff consider the current version of ROPA 4 to be an appropriate and effective balance of the comments received, and consider the Amendment to be appropriate and effective to guide and support local planning implementation.

The local municipalities are important planning partners with the Region in making the Regional Centre a reality, building on the ROPA 4 policies

The planning and implementation of the Regional Centre is a partnership among many parties; of which the role of the Towns of Markham and Richmond Hill, both individually and collectively, is vital. The policies of ROPA 4 provide a framework for continuing the dialogue and coordination that was formalized through the planning coordination process for the Regional Centre in mid-2009. The successful build-out of the Regional Centre will require continued liaison and partnerships for the implementation of the ROPA 4 policies and the local secondary plans; including continual monitoring, and the evaluation of innovative service delivery approaches (e.g. waste collection, community services, etc.).

7. CONCLUSION

The ROPA is about building the Richmond Hill/Langstaff Gateway Regional Centre through an ongoing coordinated development process, and which puts the policy tools in place to achieve the long term vision. The policies of ROPA 4 represent good planning. The Amendment arises from a comprehensive and collaborative planning coordination process initiated in mid-2009, and will provide Regional leadership and support to ensure the successful build-out of the Regional Centre, and to provide a vehicle for continued dialogue among the planning partners. The intent and substance of ROPA 4 is consistent with Provincial, Regional and local municipal planning documents, and will promote the achievement of a well-planned and highly-strategic Regional Centre.

The 2010 Regional Official Plan is currently before the Ontario Municipal Board for approval; therefore, this report recommends “in principle” approval of ROPA 4 by Regional Council. The formal approval of ROPA 4 under the provisions of the *Planning Act* is recommended following the approval of the 2010 Regional Official Plan by the OMB.

For more information on this report, please contact Heather Konefat, Director of Community Planning, at (905) 830-4444, Ext. 1502, or Sean Hertel, Senior Planner, at Ext. 1556.

The Senior Management Group has reviewed this report.

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

**Amendment No. 4
to the Official Plan for
The Regional
Municipality of York**

Approval Version, with changes made since June 15, 2011 Statutory Public Meeting

AMENDMENT 4
TO THE OFFICIAL PLAN
FOR
THE REGIONAL MUNICIPALITY OF YORK

PART A - THE PREAMBLE

1. Purpose of the Amendment:

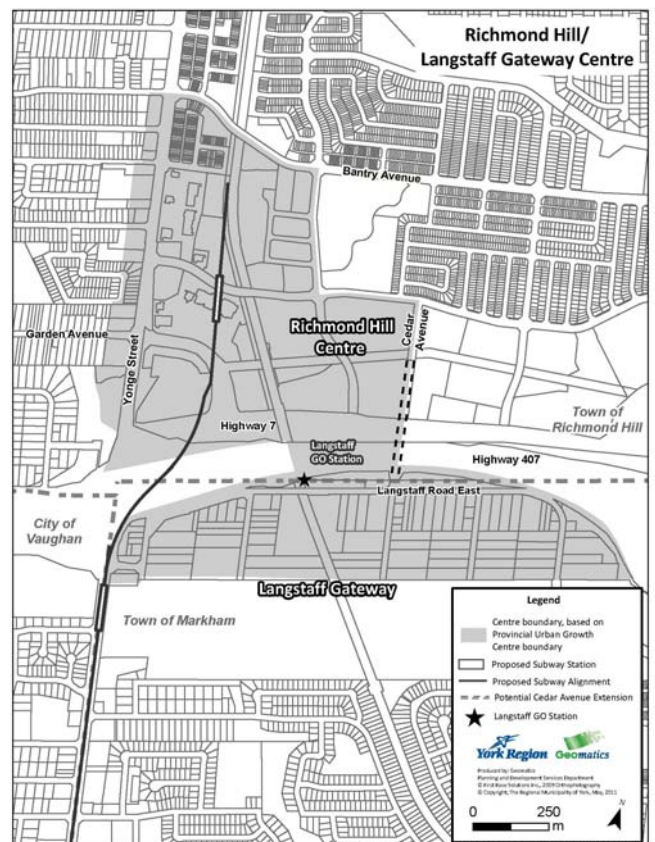
This Amendment establishes specific policies to support the planning and development of the Richmond Hill/Langstaff Gateway Centre, building on the existing Regional Centres and City Building policies of the Regional Official Plan (as Modified and Approved by the Minister of Municipal Affairs and Housing, September 7, 2010). The policies introduced through this Amendment recognize the unique characteristics of the Centre, including being situated within the boundaries of two local municipalities, and the importance of achieving development that coincides with, and is dependant on, transit and other travel modes that provide alternatives to single-occupancy vehicles (e.g. driving alone in an automobile). More specifically, the policies list those requirements, to be established in secondary plans for the Centre by the Towns of Markham and Richmond Hill, with which proposed development within the Centre must be consistent. *Appendix 1* to this Amendment contains that Section of the Regional Official Plan to which this proposed policy would be added, as shown in bold type and in italics.

2. Location:

The lands subject to this Amendment comprise the Richmond Hill/Langstaff Gateway Provincial Urban Growth Centre (UGC) and Regional Centre, being 117 hectares of land located generally in the northeast and southeast quadrants of the interchange of Yonge Street and Highway 407 within the Town of Richmond Hill and the Town of Markham, respectively. The more specific boundary of the Centre, and lands therefore subject to this Amendment, is shown in the *Key Map*.

3. Basis:

The Richmond Hill /Langstaff Gateway Centre is one of the most important



new urban, and mixed-use development nodes emerging in the Greater Golden Horseshoe area. It is strategically important as a Regional Centre and Provincial Urban Growth Centre: given its central location; potential for transit-oriented development, and; unique characteristic as being the only Urban Growth Centre located within two local municipalities. Further, a city-building model of development and related standards (e.g. urban approaches to stormwater management, high-quality civic spaces, smaller and integrated school sites, etc.) is critical to the implementation of a successful Centre, and requires new and innovative approaches compared to more conventional developments of the past. It is projected that this Centre will be home to approximately 48,000 residents and the workplace of approximately 31,000 employees.

The Towns of Richmond Hill and Markham have each initiated concurrent planning processes for their segments of the Regional Centre, beginning in early-2009 and mid-2008, respectively. Emerging through each process is a land use vision for the Centre which is dense, mixed-use and dependent on transit, including the extension of the Yonge Subway. While there has been considerable consensus through the process, the overall planning and implementation of the Centre, as a whole, could benefit from further planning and development direction on how to integrate the two plans, and how to phase development with the delivery of critical infrastructure (e.g. Yonge Subway extension).

A planning coordination process for the Centre was initiated in mid 2009 by the Commissioners of Planning from Richmond Hill, Markham and the Region to work towards common approaches for shared issues. The City of Vaughan was also included in the process to reflect its interests as a neighbouring municipality to the planning area. The Province, through the Office of the Provincial Development Facilitator, was also involved in the process to observe and to serve as a link to the appropriate Provincial Ministries and related agencies (e.g. Metrolinx).

Principles guiding the planning coordination process were agreed to by the participants, and were adopted by Regional Council on April 22, 2010. The principles were designed to provide a level of structure and consistency to the planning and implementation process, to optimize integration, compatibility and the creation of a cohesive centre. The principles were formed around the following common and important issue areas or themes, requiring detailed and coordinated approaches:

- Land Use and Urban Design;
- Building Complete Communities;
- Community Integration;
- Physical Infrastructure;
- Implementation of Community and Servicing Requirements; and,
- Financial Principles.

Arising from the planning coordination process and the shared principles, supplemental studies and analyses were initiated by the Region to support the completion, and the Region's approval of, the local secondary plans for the Centre.

This work, undertaken in collaboration with the towns of Richmond Hill and Markham, and neighbouring City of Vaughan, comprised the following:

- Inventory of required community services and facilities;
- Centre-wide transportation study;
- Financial assessment and strategy;
- Water and waste water servicing needs assessment; and,
- Development and density analysis.

The range and complexity of the issues associated with the planning and long-term implementation of the Centre warrant detailed and specific policies within the Regional Official Plan. Although the emerging development visions for the Centre are generally consistent with the City-Building and Regional Centres policies of the new Regional Official Plan, a ROPA will serve to enhance the planning and implementation of the Centre by addressing in more detail the issues and characteristics (e.g. transit-dependency, multiple jurisdictions, etc.) that are unique to this Regional Centre, and based on the findings and recommendations arising from the coordination process, and related studies and analyses. Based on that process it was concluded that the ROPA would address the following components:

- A mix of residential and employment development at each phase, including protections for employment land use designations;
- Development density/phasing based on specific, firm, geographically-defined and contiguous phases and associated thresholds;
- Specific studies and other critical requirements that must be completed and/or satisfied as a condition(s) of planning and/or development approval(s);
- Non-auto transportation capacity and related non-auto mode splits, including pre- and post-Yonge Subway Extension development thresholds;
- The securement and construction of the fine-grained street grid, including new and/or enhanced connections for pedestrians and cyclists;
- The provision of community facilities and services, including schools, to serve the population, and;
- Water and waste water servicing capacity.

This direction was reported on to the Regional Planning and Economic Development Committee on April 7, 2010, and subsequently adopted by Regional Council on April 22, 2010 (refer to Report No. 3, Clause No. 2 of the Regional Planning and Economic Development Committee).

PART B - THE AMENDMENT

All of the Amendment entitled PART B - THE AMENDMENT, consisting of the following Policy and schedule changes, constitutes Amendment 4 to the Official Plan for the Region of York.

The Official Plan for the Region of York is hereby amended by the following:

1. Section 5.4 – REGIONAL CENTRES AND CORRIDORS is amended as follows:
 - “28. That the development of the Richmond Hill/Langstaff Gateway Centre shall proceed according to comprehensive phasing and sequencing plans, as established in the Secondary Plans for the Centre, that include the following at each phase:
 - a. the specific amount of residential and non-residential development (e.g. number of residential units and gross floor area of non-residential uses);
 - b. a range and mix of uses including residential, office, retail, cultural and civic uses including human services;
 - c. the necessary services and infrastructure including community facilities, human services, streets and transit;
 - d. a mobility plan that identifies specific modal splits and Transportation Demand Management measures, such as parking restrictions and car-share programs, to achieve a high proportion of travel by modes other than single-occupancy vehicles, and that specifically identifies transportation elements linking the Secondary Plan areas to provide for an integrated Regional Centre; and,
 - e. a monitoring program to be undertaken to the satisfaction of the Region, in collaboration with the Towns of Markham and Richmond Hill, to assess travel modes and the performance of the planning requirements, in order to inform the release of each phase or sequence of development.
 29. That the infrastructure, service and land use planning requirements for each phase and sequence of development within the Richmond Hill/Langstaff Gateway Centre must be achieved, in order for development to occur in the subsequent phase.
 30. That any amendments to the Richmond Hill/Langstaff Gateway Centre Secondary Plans will require Regional approval and not be eligible for exemption under Policy 8.3.8. Regional approval will be considered based on the planning and development vision for the Centre, and shall include an assessment of Provincial and all Regional interests such as cost and timing implications.
 31. The provision of cross-boundary transportation facilities unifying the Regional Centre will be coordinated by the Region, in collaboration with the Towns of Markham and Richmond Hill.”

Appendix 1

Excerpt from Regional Official Plan with ROPA 4 Policy

(5.4.28)

5.4 Regional Centres and Corridors

York Region's evolution into a diverse and robust urban system within the Greater Toronto and Hamilton Area is rooted in the planning and implementation of the Regional Centres and Corridors which form the foundation of the Region's city building model of development.

A forward-looking and co-ordinated planning approach for the Regional Centres and Corridors is necessary to realize the vision of a vibrant and liveable city. This approach combines the Region's significant investments in rapid transit with a land use planning system that creates compact, sustainable, and people-oriented places, integrates community needs with effective services, bolsters the Region's economic competitiveness, and preserves natural heritage and agricultural areas.

The Region is advancing this vision by strategically focusing growth within the Urban Area to conserve resources and to create sustainable and lively communities. The Regional Centres and Corridors are the focus of this city building approach to sustainable growth and place making, and are the foundation of the Region's urban structure.

City Building

City building is an approach to planning and development in the Urban Area that is socially inclusive, environmentally sustainable, and economically vibrant. City building creates communities that are compact, well-designed and lively, are served by subways and rapid transit, and have exciting opportunities to live, work, and play. This approach is a shift in how growth is accommodated. It is about building "up and not out," to protect valuable resources and creating a sense of place, for today and tomorrow, and for a growing and changing population. The policies in this section direct how city building will shape the Regional Centres and Corridors, combining a bold vision for the future with practical and adaptable directions to meet community needs in changing times.

Objective

To achieve an urban, integrated and connected system of Regional Centres and Corridors.

It is the policy of Council:

1. That the Regional Centres and Corridors, as shown on Map 1, serve a critical role as the primary locations for the most intensive and greatest mix of *development* within the Region.
2. To recognize and support a hierarchy within the system of Regional Centres and Corridors, in keeping with the York Region 2031 Intensification Strategy, wherein Regional Centres are focal points for the highest densities and mix of uses.
3. To recognize that the Regional Centres and Corridors form part of a larger regional system of urban growth centres and *intensification* corridors, which are vital to the long term prosperity and identity of communities within the Greater Toronto and Hamilton Area.
4. To work with local municipalities, the Provincial and Federal government, related agencies and the development industry in implementing the Regional Centres and Corridors system.

5. That *development* within Regional Centres and Corridors be of an urban form and design that is compact, mixed-use, oriented to the street, pedestrian- and cyclist-friendly, and transit supportive.
6. That comprehensive secondary plans for Regional Centres and *key development areas* along Regional Corridors be prepared by local municipalities and implemented in co-operation with the Region and related agencies. These secondary plans shall include:
 - a. minimum density requirements and targets established by the Region and the Province;
 - b. the establishment, implementation and/or continuation of a fine-grained street grid that incorporates sidewalks and bicycle lanes;
 - c. an urban built form that is massed, designed and oriented to people, and creates active and attractive streets for all seasons with ground-floor uses such as retail, human and personal services;
 - d. a concentration of the most intensive *development* and greatest mix of uses within a reasonable and direct walking distance of rapid transit stations and/or planned subway stations;
 - e. a minimum requirement that 35% of new housing units be *affordable*, offering a range of compact housing forms and tenures, and intrinsically *affordable* units for low and moderate income households;
 - f. policies that sequence *development* in an orderly way, co-ordinated with the provision of human services, transit and other infrastructure;
 - g. policies to ensure excellence in urban design and sustainable construction methods, including winter design;
 - h. requirements to reduce and/or mitigate urban heat island effects, by considering the use of green and white roofs, greening to provide shade and light-coloured surface materials;
 - i. policies that establish urban greening targets, which may be achieved through urban forest canopy, green walls, requirements for on-site greening;
 - j. provisions for an urban public realm, including passive and active parks and meeting places, such as urban squares, which incorporate art, culture and heritage, and that contribute to a sense of place and clear identity;
 - k. policies that encourage the inclusion of public art in all significant private sector developments and that require the dedication of 1% of the capital budget of all major Regional and local municipal buildings to public art;
 - l. policies to ensure natural and recreational connections and enhancements to and within local and Regional Greenlands Systems;
 - m. policies to require innovative approaches to urban stormwater management, including alternatives to conventional retention ponds, low-impact development, green roofs, and water capture and reuse;
 - n. a mobility plan that addresses the criteria in policy 5.6.12 in this Plan with an emphasis on delivering a weather-protected system of pedestrian and cycling paths and facilities;

- o. requirements for new school sites to be constructed to an urban standard, including the consideration of alternative site size and design standards, multi-storey buildings and shared facilities; and,
 - p. provisions for human services that meet local community and Region-wide needs.
- 7. To encourage local municipalities to re-examine the policies and design of existing secondary plans within the Regional Centres and Corridors to meet the requirements of policy 5.4.6 in this Plan.
- 8. That secondary plans and zoning by-laws shall, in consultation with the Region and related agencies, incorporate parking management policies and standards that include:
 - a. reduced minimum and maximum parking requirements that reflect the walking distance to transit and complementary uses;
 - b. shared parking requirements where possible, reflecting variances in parking demand between complementary uses on a time-of-day, weekday/weekend, and monthly basis;
 - c. site design that orients the main building entrance(s) towards the street(s), and that does not permit the placement of surface parking spaces between the main building entrance and the major street;
 - d. an approach that anticipates and plans for the transition of surface parking to structured/underground parking as site *development* evolves; and,
 - e. preferential locations for carpooling and car-sharing spaces.
- 9. That all new buildings shall front the major street. Reverse lotting on the street, and/or surface parking between a building's main entrance and the street, are not permitted.
- 10. That local municipalities consider innovative implementation strategies for Regional Centres and Corridors that include as-of-right zoning, streamlined development approvals, development permits and other applicable tools.
- 11. That Regional Centres and Corridors shall be considered as the primary locations for public facilities and services such as government offices, educational institutions, and hospitals.
- 12. To prepare, in consultation with local municipalities, a comprehensive and innovative suite of implementation guidelines for the Regional Centres and Corridors. The guidelines will address:
 - a. transit-oriented development;
 - b. urban design and built form;
 - c. parking management;
 - d. *affordable* housing; and,
 - e. financial and planning instruments.
- 13. To work with local municipalities to regularly monitor and report on planning and *development* activity within the Regional Centres and Corridors.
- 14. To require innovative approaches for the delivery of infrastructure that support city building in Regional Centres and Corridors, including:
 - a. working with utility providers to ensure appropriate utility design and placement, including burying cables and structures, consistent with Transit-Oriented Design guidelines for Regional Centres and Corridors; and,

- b. transit and surface and sub-surface subway infrastructure, including transformer stations, vent shafts, turning loops, transit stations and emergency exits.
- 15. To require local municipalities to adopt official plan policies and related zoning by-law provisions, to provide community benefits in Regional Centres and Corridors in exchange for additional height and density, consistent with the Increased Density provision of the Planning Act. Community benefits shall include consideration of:
 - a. transit station improvements, in addition to lands required as a condition of development approval;
 - b. social housing;
 - c. direct pedestrian connections to transit stations;
 - d. Regional community and health facilities;
 - e. Regional emergency medical services and police stations;
 - f. additional facilities and services identified by local municipalities; and,
 - g. appropriate provisions for pedestrian and cycling facilities.
- 16. To require, as a condition of development approval, the provision of facilities to encourage an increase in the mode share of cycling trips, such as covered bicycle storage, lockers, and shower facilities.
- 17. To consider designating the Regional Centres and segments of the Regional Corridors as Community Improvement Project Areas, in partnership with local municipalities.
- 18. To encourage the redevelopment of *brownfield sites* within Regional Centres and Corridors to revitalize lands that may be contaminated, underutilized, derelict or vacant.

Regional Centres

The Regional Centres are planned as the most important and intense concentrations of development within the Region. They are vibrant urban places for living, working, shopping, entertainment, cultural identity and human services. The four Regional Centres are strategically located in Markham, Newmarket, Richmond Hill and Vaughan, and are connected along the Regional Corridors to enhance the mobility of people and goods to, from and within these places.

The Regional Centres will mature throughout and beyond the period of this Plan to become exciting “downtowns,” containing the highest concentration and greatest mix of uses in the Region, including a range of employment and housing opportunities oriented to rapid transit hubs.

Objective

To achieve complete, diverse, compact, vibrant, integrated and well-designed Regional Centres that serve as focal points for housing, employment, cultural and community facilities, and transit connections.

It is the policy of Council:

- 19. That the Regional Centres, identified on Map 1, will contain a wide range of uses and activities, and be the primary focal points for intensive development, that concentrates residential, employment, live-work, mobility, investment, and cultural and government functions.
- 20. That the planning and implementation of Regional Centres will provide:
 - a. the greatest intensity of *development* within the Region;

- b. a diverse mix of uses and built form, to create vibrant and complete communities with live-work-shop opportunities;
 - c. mobility choices and associated facilities for all residents and employees for walking, cycling, transit, and carpooling, which shall be supported through the preparation of a mobility plan;
 - d. the construction of a fine-grained street grid that facilitates the flexible and efficient movement of people and goods;
 - e. accessible human services and related facilities, identified by and delivered through a community and human services plan to ensure integration with *development*;
 - f. sequencing of *development* that is co-ordinated with infrastructure availability, including transportation, water and wastewater, and human services; and,
 - g. a long term resident-to-employee target ratio of 1:1.
21. That local municipalities shall designate the boundaries of the Regional Centres in Markham, Newmarket, Richmond Hill and Vaughan in a manner generally consistent with the boundaries of the urban growth centres as identified by the Province, and prepare secondary plans consistent with policy 5.4.6 for each Regional Centre.
 22. That secondary plans may include additional lands located adjacent to the boundaries of urban growth centres, on the basis that such lands have an important supportive or transitional role to the Regional Centres in terms of community compatibility, building forms, land uses and connectivity.
 23. That the Regional Centres contain the highest *development* densities and greatest mix of uses in the Region, and shall achieve a minimum density of:
 - a. 2.5 *floor space index* per development block. This requirement meets and exceeds the Places to Grow: Growth Plan for the Greater Golden Horseshoe gross minimum density requirement of 200 residents and jobs combined per hectare; and,
 - b. 3.5 *floor space index* per development block, at, and adjacent to, the Vaughan Metropolitan Centre Station on the Spadina Subway Extension, and the Langstaff/Longbridge and Richmond Hill Centre Stations on the Yonge Subway Extension.
 24. That local municipalities shall develop Community Energy Plans for each Regional Centre.
 25. To encourage the location of Regional-scale hospitals and entertainment and meeting facilities, including stadiums, arenas, and convention centres, in the Regional Centres.
 26. To work with local municipalities in the area of parking management, for the long term establishment of the following within the Regional Centres:
 - a. a system of municipal parking authorities to develop and/or operate shared public parking facilities;
 - b. cash-in-lieu-of-parking policies; and,
 - c. the planning for parking by structured or underground facilities in the final phasing of all site *development*.
 27. To co-ordinate and work with the Towns of Markham and Richmond Hill, and the neighbouring City of Vaughan, in the planning and implementation of the secondary plans for the Richmond Hill/Langstaff Gateway Centre, to achieve a complete and integrated Regional Centre.

28. *That the development of the Richmond Hill/Langstaff Gateway Centre shall proceed according to comprehensive phasing and sequencing plans, as established in the Secondary Plans for the Centre, that include the following at each phase:*
 - a. *the specific amount of residential and non-residential development (e.g. number of residential units and gross floor area of non-residential uses);*
 - b. *a range and mix of uses including residential, office, retail, cultural and civic uses including human services;*
 - c. *the necessary services and infrastructure including community facilities, human services, streets and transit;*
 - d. *a mobility plan that identifies specific modal splits and Transportation Demand Management measures, such as parking restrictions and car-share programs, to achieve a high proportion of travel by modes other than single-occupancy vehicles, and that specifically identifies transportation elements linking the Secondary Plan areas to provide for an integrated Regional Centre. ; and,*
 - e. *a monitoring program to be undertaken to the satisfaction of the Region, in collaboration with the Towns of Markham and Richmond Hill, to assess travel modes and the performance of the planning requirements, in order to inform the release of each phase or sequence of development.*
29. *That the infrastructure, service and land use planning requirements for each phase and sequence of development must be achieved, in order for development to occur in the subsequent phase.*
30. *That any amendments to the Richmond Hill/Langstaff Gateway Centre Secondary Plans will require Regional approval, and will be considered based on the planning and development vision for the Centre, and shall include an assessment of Provincial and all Regional interests such as cost and timing implications.*
31. *The provision of cross-boundary transportation facilities unifying the Regional Centre will be coordinated by the Region, in collaboration with the Towns of Markham and Richmond Hill.”*



May 27, 2011

Heather Konefat, MCIP, RPP
Director Community Planning
York Region
17250 Yonge Street
Newmarket, ON L3Y 6Z1

RE: Comments on the Regional Official Plan Amendment No. 4 to the Official Plan for the Regional Municipality of York

Dear Heather,

This letter is in response to your request for comments on ROPA 4 circulated to staff on May 12, 2011. You will note that many of our comments have been expressed previously based on our letter sent to the Region on March 2, 2011. We have reviewed ROPA 4 and provide the following comments:

Overall, future development should be guided by policies which are key to the success of the UGC including policies ensuring major office, a balance of residential and employment uses and the protection of lands for a major transit station area. The highest densities should be located at rapid transit stations. To set the stage for an appropriate development framework, the agreed-upon shared principles should be inherent throughout the policies of the amendment. To this end, the amendment should be more prescriptive on the principles that would be required for the Secondary Plans in the UGC.

Additional specific comments are provided as follows:

1. As outlined in our letter dated March 2, 2011 to the Region, we would like to see the policies of the amendment reflect the agreed-upon shared principles that were established at the outset of the UGC coordination process. Reference to the shared principles should be made beyond Part A of the amendment as the preamble does not give any effect to these principles. It is our suggestion that specific principles which provide direction to guide policies of the Secondary Plans in the UGC be included as operative parts of the amendment.
2. We note that this version of the amendment no longer includes a policy which provides for the long term resident-to-employee target ratio of 1:1. We support the inclusion of this policy in the amendment as the need for a balance of residents and jobs is echoed throughout the *Growth Plan* for the Greater Golden Horseshoe. As a whole, the Richmond Hill/Langstaff UGC is planned for a total of 48,000 residents and 31,000 jobs over the planning horizon. This results in a ratio of 0.6 jobs for every resident. To truly plan the UGC as an origin and destination point, this is an important policy principle.

3. We note that the amendment does not address the planning of the mobility hub and major transit station area and related facilities. Planning for these facilities is important to the function of the UGC. The amendment should note that Secondary Plans should identify the need to plan for the mobility hub and that appropriate planning controls be put in place to ensure that development does not preclude the planning for the mobility hub and related facilities.
4. Policy 2.3.13 of the ROP requires the preparation of comprehensive Master Environmental Servicing Plans as a part of Secondary Plans to protect and enhance the natural and hydrologic function of water systems. In addition, Policy 5.4.6 of the ROP sets out requirements for the preparation of comprehensive secondary plans for Regional Centres and Key Development Areas. While the requirement for an MESP is not specifically listed in the policies for Regional Centres under Section 5.4.6 of the ROP, we suggest this amendment include a policy reiterating the requirement for the completion of MESP's as part of the requirements of Secondary Plans for Regional Centres.

Part A – Purpose of the Amendment

5. The second sentence of the preamble states: “The policy introduced through this amendment recognizes the unique characteristics of the Centre...” We suggest that the word “policy” be pluralized as the amendment includes more than one policy for the UGC. Alternatively, the term “framework” could be inserted after the word “policy” to reflect the policy framework established for the UGC through this Regional Official Plan Amendment.

Part A – Basis

6. In the first sentence of this paragraph, we suggest replacing the words “high-density” with the word “urban” as the Richmond Hill/Langstaff UGC is envisioned to become an urban area and focal point for mixed-use compact development. The UGC is not all about high-density.
7. The second paragraph of this section refers to the overall planning and implementation of the Centre as a whole and how it could benefit from further planning and development direction to allow for further integration of the two land use plans from Richmond Hill and Langstaff. While we agree with this in principle, it is unclear how the Region intends to continue the integration of both plans within the UGC beyond what has been accomplished through the UGC coordination process. It is our understanding that the UGC coordination process was established to provide direction for this as well as a policy framework for a Regional Official Plan Amendment to help guide the Secondary Plans within the UGC.
8. On page 2, the last paragraph states: “...a ROPA will serve to enhance the planning and implementation of the Centre by addressing in more detail the issues and characteristics that are unique to this Regional Centre, and based on the findings and recommendations arising from the coordination process, and related studies and analyses. Based on that process, it was concluded that the ROPA would address the following components: A mix of residential and employment development at each phase, including protections for employment land use designations.” We note the policies of the amendment do not

specifically address the protection of employment lands in detail or the protection of lands designated for major office development to ensure a balance of people and jobs.

9. On Page 2, the third bullet references specific studies and other critical requirements that must be completed and/or satisfied as conditions of planning and development approvals in the UGC. We request that the Region provide some examples on the studies and/or critical components that would be required for development approvals. In addition, should this be included as a policy requirement in Secondary Plans for the UGC? We note that an example of a required study includes the completion of an MESP, which are required for Secondary Plans in accordance with ROP policies. The Town is currently in the process of developing a Secondary Plan for the Richmond Hill Centre and it would be helpful if the amendment could clarify the types of studies and other critical requirements that would be required for Secondary Plans in the UGC.

Part B – The Amendment

10. On Page 3, the intent of Policy 28 (a) is unclear. This policy speaks to a comprehensive development phasing plan. It is unclear when the comprehensive development phasing plan is to be established and by whom. Is this intended to be a requirement of Secondary Plans for the UGC? Further, it is unclear whether this is a requirement for development or whether the local municipality is required to prepare a comprehensive phasing plan as part of the Secondary Plan process.
11. On Page 3, Policy 28 (a) also requires that specific levels of residential and non-residential development be established for each phase of development. We note that in the Richmond Hill Centre, there are six unique character areas which make up the areas of the Centre and each has a different proposed mix of residential and non-residential land use. Some of the character areas are planned to include only residential uses such as the Yonge West and Bantry character areas, while others are planned as discrete employment areas such as the High Tech character area. It is our understanding that not all character areas are required to provide a mix of residential and non-residential uses at each phase.
12. On Page 3, Policy 28 (d) makes reference to “civic uses”. What is meant by “civic uses” as this term is not explicitly defined in the approved ROP?
13. On Page 4, Policy 28 (e) is unclear. The policy states that infrastructure, service and land use planning requirements for each phase and sequence of development must be achieved, in order for development to occur in the subsequent phase. It is unclear what requirements are being referred to and whether these are requirements set out by the Region or those identified in Secondary Plans. This should be clarified.
14. On Page 4, Policy 28 (g) is unclear. If it is the intention that this policy is to provide that there are no exemptions to regional approval of a local OPA within the UGC, then it is best to have wording which says this.

Thank you for this opportunity to provide comments on the Regional Official Plan Amendment 4 to the York Region Official Plan. We note that the statutory public meeting for ROPA 4 is scheduled to take place on Wednesday June 15, 2011, and that the final ROPA 4 is scheduled to be brought forward to Regional Council in September 2011 for approval. We would ask that you

take these comments into consideration and we look forward to continuing the dialogue in the coordination of the UGC.

Yours truly,



Patrick Lee, MCIP, RPP
Director of Policy Planning

cc: Ana Bassios, Commissioner of Planning and Regulatory Services
Paul Freeman, Manager of Policy
Brian DeFreitas, Planner II
Marcel Lanteigne, Manager of Transportation
Tracy Steele, Manager of Parks
Sean Hertel, Senior Planner, Centres and Corridors

*H:\Grp\PLANNING\POLICY\Richmond Hill Centre Secondary Plan\UGC Coordination\ROPA\Comments on ROPA 4\ROPA 4
Comments May 27 2011.doc*



June 9, 2011

Regional Municipality of York
17250 Yonge Street
Newmarket, ON L3Y 6Z1

Attention: Bryan Tuckey, M.C.I.P. R.P.P.
Commissioner, Planning and Development Services

Re: Proposed Amendment to the Official Plan for the Regional Municipality of York

Dear Mr. Tuckey,

This letter responds to the request by York Region staff for comments on Proposed Amendment 4 to the Official Plan for the Regional Municipality of York. Town staff have reviewed the draft amendment and are satisfied that the policies are supportive of the Town's Langstaff Gateway Secondary Plan, and are consistent with the Region's mandate in establishing a broad policy framework for the Urban Growth Centre.

We support and look to continue our collaborative efforts involved in moving forward with the planning for the Richmond Hill/Langstaff Gateway Urban Growth Centre. Thank you for allowing us the opportunity to comment on Proposed Amendment 4 to the Official Plan for the Regional Municipality of York. We hope that you find these comments helpful.

Yours truly,

A handwritten signature in black ink, appearing to read 'Jim Baird', written in a cursive style.

Jim Baird, M.C.I.P. R.P.P.
Commissioner, Development Services

**Ministry of
Municipal Affairs
and Housing**

Municipal Services Office
Central Ontario
777 Bay Street, 2nd Floor
Toronto ON M5G 2E5
Phone: 416 585-6226
Fax: 416 585-6882
Toll-Free: 1 800 668-0230

**Ministère des
Affaires municipales
et du Logement**

Bureau des services aux municipalités
du Centre de l'Ontario
777, rue Bay, 2^e étage
Toronto ON M5G 2E5
Téléphone : 416 585-6226
Télécopieur : 416 585-6882
Sans frais : 1 800-668-0230



June 2, 2011

Bryan Tuckey
Commissioner of Planning
Planning and Development Services
The Regional Municipality of York
17250 Yonge Street
Newmarket, Ont. L3Y 6Z1

Dear Mr. Tuckey:

RE: Proposed Regional Official Plan Amendment 4
Regional Municipality of York
MMAH File No: 19-DP-0182-11012

Thank-you for the opportunity to review and provide comments on York's proposed Regional Official Plan Amendment (ROPA) 4.

It is understood that ROPA 4 is intended to provide a coordinated policy framework for the successful development of the Richmond Hill/Langstaff Gateway Urban Growth Centre (RHLG), as identified by the Growth Plan for the Greater Golden Horseshoe. Ultimately, ROPA 4 will help to ensure a comprehensive approach to achieving complete communities in York Region. Further, it is understood that ROPA 4 is intended to recognize the importance of this Urban Growth Centre (UGC) as it crosses two municipal boundaries, the Towns of Markham and Richmond Hill, and is the main point of transfer for existing and proposed major transit infrastructure projects, which include GO Transit, the 407 Transitway, VIVA, and the TTC Yonge North Subway Extension. As such, this UGC is important at the provincial, regional and local levels.

The Province is supportive of the Region taking steps to establish a comprehensive policy framework to guide development of the Richmond Hill/Langstaff Gateway UGC. It is anticipated that ROPA 4 will be used to inform and guide the secondary plans prepared by the Towns of Markham and Richmond Hill for their respective portions of the RHLG. The Province commends York Region, the Town of Richmond Hill and the Town of Markham for recognizing the opportunity that exists within this UGC and for planning for a significant amount of development that will benefit from the planned transit investments and recognizes the evolution of southern York Region as a mature urban area.

As the Region, and the Towns of Markham and Richmond Hill are aware, the Office of the Provincial Development Facilitator (OPDF) is currently working with various Provincial Ministries and agencies to identify Provincial interests in the Richmond Hill/Langstaff Gateway UGC, which includes successful implementation of the policies of the Growth Plan and major infrastructure elements that will be key determinants of the scale and phasing of development. The OPDF's work is on-going and further comments may be provided once the work is completed.

We understand that a draft of ROPA 4 will be presented to the Region's Planning Committee on June 15, 2011 and may be considered for approval by Regional Council in September 2011. We are also aware that Markham's secondary plan for the Langstaff Gateway (Official Plan Amendment 183) portion of the UGC will be considered by the Region's Planning Committee on June 15, 2011 and potentially be considered for a decision by Regional Council on June 23, 2011. To ensure that planning and development is coordinated, we offer the following comments for consideration at this time. These comments and questions have been coordinated with the Ministry of Infrastructure, the Ministry of Transportation, Metrolinx and the OPDF.

Coordination:

Section 1.2.1 of the Provincial Policy Statement, 2005 (PPS) provides direction on ensuring a coordinated, integrated and comprehensive approach to addressing municipal matters that cross lower-tier boundaries. More specifically, policy 1.2.1 speaks to coordination of growth and development, infrastructure, public service facilities and population and employment projections, among other areas. It appears that the Region is attempting to coordinate the development of the RHLG through ROPA 4. As such, how can a comprehensive and coordinated approach to development can be achieved if Markham OPA 183 is approved in advance of the Region adopting ROPA 4?

As outlined in the Region's staff report dated April 21, 2011, the Region initiated a series of background reports to inform the planning process of the Richmond Hill/Langstaff Gateway Secondary Plans, as well as the proposed ROPA 4. While preliminary findings may be available, to date we understand that the Region's studies are not yet finalized. Given that the Region is moving forward with the proposed ROPA 4 and Markham's OPA 183, it would be useful to understand how the findings of these studies will be used to inform the planning process.

Additionally, Metrolinx is currently leading a Benefits Case Analysis to examine regional rapid transit options between Finch Station and Richmond Hill Centre, along with other transportation infrastructure evaluations, and decisions on phasing and long-term growth may depend on these outcomes. As such, how might modifications to phasing proposed in the Langstaff Secondary Plan occur if its approval precedes ROPA 4 and its coordinated approach to phasing and decision-making?

Density Targets:

Section 2.2.4.5 of the Growth Plan establishes minimum gross density targets for each UGC within the Greater Golden Horseshoe. Specifically for the Richmond Hill/Langstaff Gateway UGC, subsection 2.2.4.5(b) requires a minimum gross density target of 200 residents and jobs combined per hectare by 2031. In establishing its phasing strategy for the Richmond Hill/Langstaff UGC, the Region will need to ensure that the Growth Plan's

minimum density target is achieved by 2031. Given that the approved densities are expected to exceed the minimum targets set out in the Growth Plan, how will the Region incorporate the additional people and jobs to be accommodated in the Richmond Hill/Langstaff Gateway UGC over next 20 years into its land budgeting work?

The significant densities that are planned for the UGC through Markham's OPA 183 are recognized. While high density development and intensification are supported through the Provincial Policy Statement, 2005 and the Growth Plan, the Region should confirm that the following criteria are met with respect to the scale and distribution of development:

- Compatibility with the overall regional growth structure as outlined in York's Official Plan, including achievement of Growth Plan densities in the Region's other UGCs, namely Markham Centre, Newmarket Centre and Vaughan Corporate Centre;
- An appropriate local transit service level and connections to higher order transit that will exist at each phase of development to maximize the transit modal split and promote 'transit-first' behaviors at all phases of development in the RHLG; and
- High quality public spaces and urban design standards that create attractive and vibrant places.

Phasing and Transit:

The phasing of development across the entire UGC and the integration with new transit services is of particular importance to the Province. While we recognize that many factors are considered when developing a phasing plan, how will the Region demonstrate how the distribution of densities across the UGC will maximize transit mode share as development occurs? Further, how will the Region ensure that the principle of integrating development phasing with transit phasing be incorporated into ROPA 4 to provide the basis for phasing plans established through Markham's and Richmond Hill's respective secondary plans?

Through a review of Markham's OPA 183, it appears that the level of development and proposed densities are dependent upon the extension of the Yonge subway to Richmond Hill. As the Region is aware, the extension of the Yonge subway is not approved and Metrolinx is currently leading a study to examine regional rapid transit options between Finch Station and Richmond Hill. Subsequent to this analysis, the completion of any transit service will still require detailed planning, design and engineering work, all of which will be subject to the provincial capital budget process. Therefore, the timing of additional regional rapid transit is unknown. Given that a significant amount of development is dependent on the extension of the Yonge subway, how is the Region ensuring that ROPA 4 addresses the appropriate triggers for development that are based on the subway extension components? Any changes to these triggers would require Regional approval through a *Planning Act* process, such as an OPA, that provides the opportunity for provincial involvement. Lastly, given the uncertainty of potential transit expansion, how will the Region demonstrate that the phases of development that are not tied to future subway service will be supported by appropriate levels of transit service?

Infrastructure:

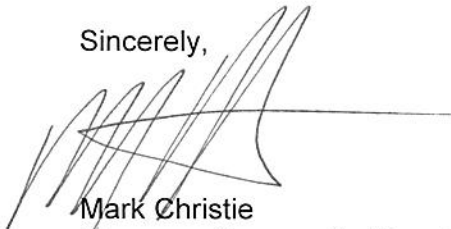
The significant amount of work completed to date by the Region and others to understand the necessary infrastructure investments is recognized. However, it appears that potential impacts of proposed development on the Provincial Highway system may not have yet been fully addressed. Specifically, the proposed development includes a portion of the Highway 407 corridor control area. As per the *Public Transportation and Highway Improvement Act*, any development proposed within this area will require a permit from the Ministry of Transportation (MTO). As such, ROPA 4 should require a comprehensive traffic impact study that looks at the impact of proposed development on the Provincial Highway system, which would be required prior to any permits being issued by MTO. The Region is encouraged to complete this work early in the process.

Provincial Approvals:

Lastly, it is recognized that a number of approvals are required from various provincial ministries and agencies. These include potential amendments to the Parkway Belt West Plan, building and land use permits under the *Public Transportation and Highway Improvements Act*, and an easement granted from the Ontario Realty Corporation with respect to hydro lands. As the Region is aware and outlined through the above comments, the Province has a strong interest in ensuring the successful development of this UGC, and is committed to working with the Region to achieve this goal.

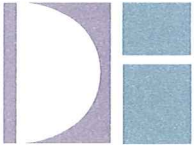
Thank you again for the opportunity to review and provide comments on ROPA 4. We look forward to working with York Region on the successful development of the Richmond Hill/Langstaff Gateway UGC. Please feel free to contact me with any questions at 416-585-6063.

Sincerely,



Mark Christie
Manager, Community Planning and Development

cc. Tija Dirks, Ministry of Infrastructure
Joe Perotta, Ministry of Transportation
Joshua Engel-Yan, Metrolinx
Paula Dill, Office of the Provincial Development Facilitator



Davies
Howe
Partners
LLP

Lawyers

The Fifth Floor
99 Spadina Ave
Toronto, Ontario
M5V 3P8

T 416.977.7088
F 416.977.8931
davieshowe.com

Please refer to: **Mark Flowers**
e-mail: markf@davieshowe.com

September 6, 2011

By E-Mail

The Regional Municipality of York
York Region Administrative Centre
17250 Yonge Street
Newmarket, Ontario
L3Y 6Z1

Attention: Denis Kelly, Regional Clerk

Dear Sir:

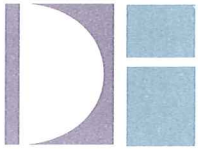
**Re: Proposed York Region Official Plan Amendment No. 4
Submissions on behalf of Yonge Bayview Holdings Inc.**

We are counsel to Yonge Bayview Holdings Inc. ("Yonge Bayview"). Yonge Bayview is the owner of lands in the Town of Richmond Hill within the area generally bounded by Yonge Street, High Tech Road, Highway 7 and Bayview Avenue, and controls the largest landholding within the Richmond Hill portion of the Richmond Hill / Langstaff Gateway Regional Centre (the "Centre").

By letter dated June 15, 2011, we made preliminary submissions to the Region in respect of the proposed Official Plan Amendment No. 4 ("ROPA 4"), and we also appeared before the Planning and Economic Development Committee that same day, together with Mr. Patrick Berne of Yonge Bayview.

We have now had an opportunity to review the staff report for ROPA 4 dated August 10, 2011, which we understand will be considered by the Region's Planning and Economic Development Committee at its meeting tomorrow, September 7, 2011. The purpose of this submission is to respond to portions of that staff report.

First, we note that the staff report has mischaracterized our earlier submissions and those of Mr. Berne. In particular, the report inaccurately indicates that we "offered general support for ROPA 4". On the contrary, in our earlier submissions we identified a number of concerns with the proposed ROPA 4 that we were hoping would be addressed prior to the draft document coming forward for approval. At no time did we indicate any "support" for ROPA 4, general or otherwise.



Davies
Howe
Partners
LLP

Secondly, having reviewed staff's proposed amendments to the draft ROPA 4, it is apparent that whereas certain modifications are being proposed in response to comments received from various public sector stakeholders, no modifications have been proposed to address the concerns identified by Yonge Bayview in our earlier submissions. Further, despite our earlier invitation to meet with the Region to discuss the concerns and despite the fact that Yonge Bayview is the primary landowner within the area subject to the proposed amendments, Yonge Bayview has not been consulted with respect to ROPA 4 since the public meeting in June.

Among other things, the letter dated June 2, 2011 from the Ministry of Municipal Affairs and Housing (Attachment 4 to the staff report) confirms that the Yonge Street Subway extension is not currently approved and the timing remains uncertain. Similarly, the Region's Centre-wide Transportation Study (April 2011) presumes that the proposed subway extension is, at best, a long-term prospect. These factors alone reinforce the need to maintain flexibility and to incorporate appropriate interim policies to guide redevelopment within the Centre prior to the introduction of certain infrastructure improvements.

In addition, Yonge Bayview continues to seek recognition from the Region of its existing as-of-right development permissions and confirmation that the implementation of such permissions is not subject to any proposed new development phasing policies.

Given that none of the concerns that we identified in our earlier submissions have been addressed in the revised draft ROPA 4, and so as to avoid any misunderstanding by staff as to our client's position, please be advised that Yonge Bayview does not support ROPA 4 in its present form.

Again, kindly ensure that we are notified of any further reports and/or public meetings regarding this matter and that we receive notice of any decisions made by the Planning and Economic Development Committee and/or Regional Council pertaining to this item.



Davies
Howe
Partners
LLP

Yours truly,

DAVIES HOWE PARTNERS

A handwritten signature in blue ink, reading "Mark R. Flowers".

Mark R. Flowers

copy: Client