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York Region Municipal Comprehensive Review Update Information Report to Council

Report Number: INFO-2020-31 Department(s): Planning and Building Services Author(s): Phoebe Chow, Senior Planner - Policy Distribution Date: September 10, 2020

In accordance with the Procedure By-law, any member of Council may make a request to the Town Clerk that this Report be placed on an upcoming Committee of the Whole agenda for discussion.

Purpose

The purpose of this report is to inform Council of a) various matters that are currently under review by Regional staff through the Regional Municipality of York's Municipal Comprehensive Review, and b) comments that Planning staff have submitted to Regional staff to date on Employment Land Conversion; Major Transit Station Areas, and Natural Heritage System.

Background

The Regional Municipality of York (York Region) is undertaking its Municipal Comprehensive Review (MCR) process to update its Official Plan (Regional Official Plan). As part of the MCR, York Region is collaborating with local municipalities, stakeholder and members of the public in preparing the proposed Regional Official Plan. To facilitate this collaboration at the local municipal level, York Region has established a Local Municipal Working Group (LMWG) comprised of staff from the nine local municipalities to facilitate ongoing input into the MCR work. Planning staff are part of the LMWG and have been attending ongoing meetings to provide input into specific components of the MCR.

Discussion

To date, Regional staff have reported to Regional Council on a number of main policy areas that are under review through the MCR, which include, but not limited to:

- <u>Community Densities</u> the MCR will revisit the current minimum density targets of 70 residents and jobs per hectare for New Community Areas in the Regional Official Plan and determine the need for additional new community lands to accommodate future growth;
- <u>Employment Lands</u> York Region to designate and set density targets for employment areas in the proposed Regional Official Plan and to assess requests for employment land conversion;
- Housing understand housing needs and develop housing target for affordable ownership housing and rental housing (final housing policy direction report is scheduled to become available in Q4 2020)
- <u>Natural Heritage System</u> update all natural features and system mapping in the Regional Official Plan
- <u>Major Transit Station Areas</u> identify boundaries and set minimum density targets for MTSAs in the proposed Regional Official Plan

The following subsections outline comments that Planning staff have provided to Regional staff as part of the MCR.

Employment Land Conversion

New policy direction in the *A Place to Grow: Growth Plan for the Greater Golden Horseshoe* (Growth Plan) requires single-tier and upper-tier municipalities such as York Region to designate and set density targets for employment areas in the Regional Official Plan. In addition, York Region is also responsible for assessing requests for employment land conversion. As such, the Town previously submitted an employment land conversion request to York Region for their consideration through the MCR. The Town's <u>staff report 2019-64</u> recommended that 20 properties within the Mulock Station Area Secondary Plan be converted to non-employment lands, consistent with the vision for the area as set out in the draft Mulock Station Area Secondary Plan. Regional staff have since reviewed the employment land conversion request. As stated in the Region's report titled <u>Planning for Employment and Employment Conversions dated March 12,</u> <u>2020</u>, Regional staff did not object to the request, and deferred the designation of these properties to Town Council as none of the lands in question are being proposed as employment lands in the proposed Regional Official Plan.

Natural Heritage System

Last summer, the Province initiated a technical review and refinement of the provincial Natural Heritage System (NHS). The purpose of which was to identify any mapping errors based on local evidence and to consider any municipal requests to add or remove

York Region Municipal Comprehensive Review Update

areas from the provincial NHS. Planning staff took the opportunity to submit a request to the Province to refine the NHS limits in southwest quadrant of Newmarket as shown in Attachment 1. This mapping review exercise first started in 2017 when Council directed staff to submit comments on the proposed NHS for the Growth Plan to the Province (see Attachment 2). The reason for this refinement is to align the Provincial NHS limits with the Town's Official Plan designations and floodplain mapping. Through the review of the MCR, Planning staff has resubmitted the same comments to Regional staff and requested York Region to update the Regional NHS limits by reflecting the proposed refinements as shown in Attachment 1.

Major Transit Area Stations

On <u>April 2, 2020</u>, Regional Council endorsed 72 <u>MTSAs</u> to be included in the proposed Regional Official Plan. Of the 72 proposed MTSAs, 12 are located in the Town of Newmarket. Planning staff have reviewed the <u>draft MTSAs</u> and provided the following comments to Regional staff for consideration in finalizing boundaries of MTSAs:

- Align the Mulock GO MTSA (MTSA 62) (see Attachment 3a) with the Mulock Station Area Secondary Plan boundary by extending it to the west along the south side of Mulock Drive towards Yonge Street as shown in Attachment 3b;
- Refine the Savage-Sawmill BRT Station (MTSA 45) by removing the HOPE Coop Housing in the east end of the MTSA as shown in Attachment 4; and,
- Refine the Mulock BRT Station (MTSA 46) by removing lands east of the hydro corridor, south of Mulock Drive (existing townhouse complex) from this MTSA as shown in Attachment 5.

Council recently received <u>staff report 2020-58</u> at its meeting on August 31, 2020, and directed staff to forward the draft Mulock Station Area Secondary Plan (with the exception of the phasing plan and policies) to York Region as input to the MCR. As mentioned in staff report 2020-58, it is important to align the Mulock GO MTSA with the Mulock Station Area Secondary Plan boundaries so the land use, height and density policies in the Secondary Plan can benefit from the protected appeal rights under the *Planning Act*. Furthermore, the draft Secondary Plan provides density information to assist York Region's Land Needs Assessment. If York Region accepts the Town's comment and aligns the Mulock GO MTSA (MTSA 62) with the Mulock Station Area Secondary Plan, the portion of the Mulock BRT MTSA (MTSA 46) located on the south side of Mulock Drive, east of the hydro corridor will become part of MTSA 62. Regional staff generally support this approach.

Regarding the proposed refinements to MTSAs 45 and 46, Planning staff is of the opinion that the redevelopment potential of both housing complexes as highlighted in Attachments 4 and 5 is quite minimal due to the stable nature of these areas; therefore, it is not necessary to include these lands as part of the MTSAs.

As noted in Regional report titled <u>Major Transit Station Areas Update</u>, final MTSA boundaries are expected to be released in Q3 2020.

Up Coming MCR Reports

Regional staff will present final recommendations on employment area conversions and employment area mapping to Regional Council at the October 8, 2020 Committee of the Whole meeting. Regional Council will hold a Special Public Meeting on September 17, 2020 at 9:00 a.m. to accept written and verbal submissions in advance of the October report. A memo and supporting information, including updated staff recommendations on the employment area conversions requests, will be available on September 11, 2020 on york.ca.

Regional staff has advised that there may be potential delays to the original <u>MCR report</u> <u>timeline</u> (which included the release of the draft Regional Official Plan in Q2 2021) due to the COVID-19 pandemic. Planning staff will continue to monitor the MCR progress and update Council as necessary.

Conclusion

Regional staff have released a number of background reports on various Regional Official Plan matters as part of the MCR. Since the MCR's commencement, Planning staff have been working with our Regional counterparts to ensure key issues to Newmarket have been appropriately addressed. It is expected that more policy direction reports will become available in the coming months. Planning staff will continue to work with Regional staff and provide input through the LMWG or Council direction when appropriate.

Business Plan and Strategic Plan Linkages

- Long-term Financial Sustainability
- Extraordinary Places and Spaces (priority focus on the Mulock park)
- Economic Leadership and Job Creation
- Vibrancy on Yonge, Davis and Mulock
- Environmental Stewardship

Consultation

None

Human Resource Considerations

None

Budget Impact

None

Attachments

- Attachment 1 Proposed Changes to Natural Heritage System
- Attachment 2 Staff Report 2017-29 Proposed Natural Heritage System for the Growth Plan for the Greater Golden Horseshoe
- Attachment 3a Mulock GO Station MTSA (MTSA 62)
- Attachment 3b Mulock Station Area Secondary Plan Boundary
- Attachment 4 Proposed Changes to Savage-Sawmill BRT Station (MTSA 45)
- Attachment 5 Proposed Changes to Mulock BRT Station (MTSA 46)

Contact

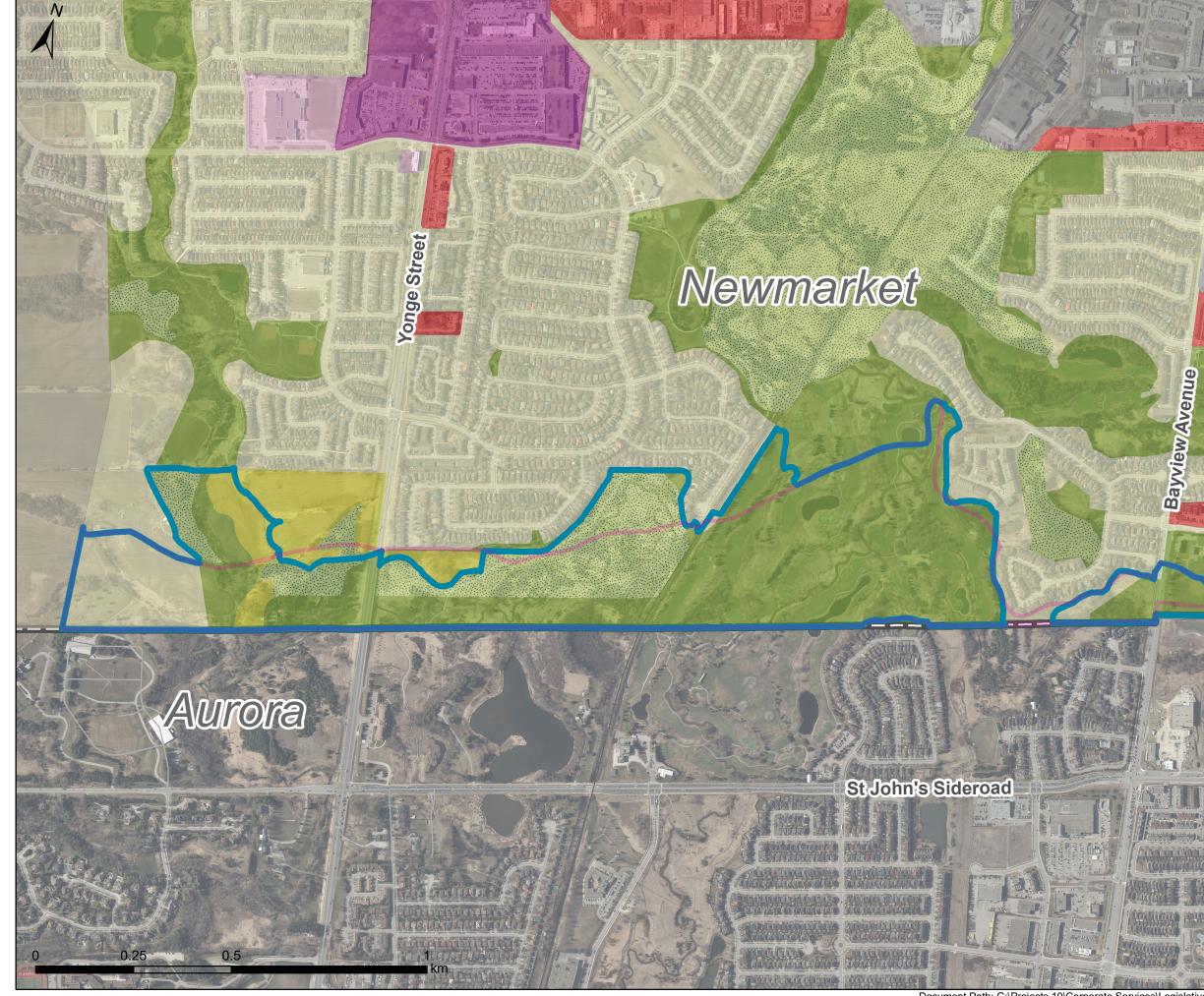
Phoebe Chow, Senior Planner – Policy, pchow@newmarket.ca

Approval

Adrian Cammaert, Acting Manager, Planning Services

Jason Unger, Acting Director, Planning and Building Services

Peter Noehammer, Commissioner of Development & Infrastructure Services



Attachment 1

Proposed Provincial NHS Limits in Southwest Newmarket

- Existing Provincial NHS Limits
- Proposed Provincial NHS Limits

LAND USE

- **ORM** Boundary
- **Urban Centre**
- **Open Space**

NHS

- **General Employment**
- Mixed Office/Light Employment
- Commercial
- Major Institutional
- **Emerging Residential**
- Stable Residential
- Municipal Boundary



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Sources: Sources: 2018 Colour Ortho Imagery – First Base Solutions Inc., 2018 Orthophotography. Natural Heritage System Area - Open Government Licence - Ontario, 2019, https://geohub.lio.gov.on.ca. Roads, Municipal Boundary - Data, Analytics and Visualization Services Branch, Corporate Services, The Regional Municipality of York, 2019. All other data - © Town of Newmarket, 2019.



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September 25, 2017

DEVELOPMENT AND INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES REPORT 2017-29

- TO: Committee of the Whole
- SUBJECT: Proposed Natural Heritage System for the Growth Plan for the Greater Golden Horseshoe EBR Registry Number: 013-1014

ORIGIN: Planning and Building Services

RECOMMENDATIONS

THAT Development and Infrastructure Services/Planning & Building Services Report 2017-29 dated September 25, 2017 regarding the Proposed Natural Heritage System for the Growth Plan for the Greater Golden Horseshoe, Summary of Criteria and Methods, be received and that the following recommendation(s) be adopted:

- 1. THAT Council direct staff to submit Report 2017-29 to the Province of Ontario as the Town of Newmarket's comments on the Proposed Natural Heritage System for the Growth Plan for the Greater Golden Horseshoe, Summary of Criteria and Methods.
- 2. THAT Council direct staff to submit Report 2017-29 to York Region as input to the Regional Municipal Comprehensive Review.

PURPOSE OF THIS REPORT

This Report will provide information and recommendation(s) regarding the recently released "Summary of Criteria and Methods on the Proposed Natural Heritage System for the Growth Plan for the Greater Golden Horseshoe". This document was released by the Province on July 6, 2017 and is open for public comment until October 4, 2017.

BACKGROUND

The 2017 Growth Plan for the Greater Golden Horseshoe (Growth Plan) was released on July 1, 2017. This new Growth Plan contained a policy committing the Province to mapping a Natural Heritage System for

the Greater Golden Horseshoe to support a comprehensive, integrated, and long-term approach to planning for the protection of the region's natural heritage and biodiversity. The draft Natural Heritage System mapping was subsequently completed and released by the Province on July 6, 2017. Comments on this mapping are being accepted by the Province until October 4, 2017.

COMMENTS

The "Summary of Criteria and Methods on the Proposed Natural Heritage System for the Growth Plan for the Greater Golden Horseshoe" provide a clear and logical set of principles and methods for identifying a Natural Heritage System within the Greater Golden Horseshoe Area. In addition, this document included mapping of the proposed Natural Heritage System.

The future Natural Heritage System that this process creates will be subject to Section 4.2.2 of the Growth Plan. This section requires municipalities to incorporate the Natural Heritage System mapping as an overlay in official plans and apply policies to maintain, restore, or enhance these areas.

It should be noted that new development in these areas is possible, provided certain criteria are met, including (among other requirements): (i) there are no *negative impacts* on *key natural heritage features* or *key hydrologic features* or their functions; and (ii) the provided maximums on disturbed area and impervious surface are not surpassed.

Draft Natural Heritage System Mapping Concerns

As shown on the attached "Mapping Concerns" map (Attachment 1), the draft mapping identifies a section along the Newmarket / Aurora boundary as Proposed Natural Heritage System, and the Town's ORM lands as "OP Settlement Designation".

Staff have concerns with both of these designations over these lands. Below is a summary of the concern, followed by a potential resolution:

Area 1

In areas outside of (east of) the Town's Oak Ridges Moraine (ORM lands), the proposed Natural Heritage System is placed over lands that are largely designated "Stable Residential" and "Emerging Residential" in the Town's Official Plan. Various ecological designations and the Flood Plain overlay are also applicable in this area. To potentially resolve this issue, the proposed Natural Heritage System could be replaced with "OP Settlement Designation" in the portions of this area that are designated "Stable Residential" and "Emerging Residential", and the remaining portions of the Proposed NHS could be revised to reflect the Various ecological designations and the Flood Plain overlay. These changes would align this section of the Proposed NHS with the local Official Plan.

Areas 2a and 2b

In areas within the Town's ORM lands, a designation labelled "OP Settlement Designation" is placed over lands that have been found to be ecologically significant and are protected by Provincial, Regional and Town policies. It would be logical if:

- Area 2a: The area east of Bathurst Street, located within the Greenbelt Plan/Oak Ridges Moraine area, was removed from the "OP Settlement Designation" in favour of the Natural Heritage System (Linkage area). This would more accurately reflect the 2017 Provincial Growth Plan, Regional Official Plan and Local Official Plan as outlined above, and protect the ecological features and functions (e.g. linkages) that have been found to exist in this area; and
- Area 2b: The area west of Bathurst Street, located within the Greenbelt Plan Area/Oak Ridges Moraine Natural Core area, was removed from the "OP Settlement Designation" in favour of the Natural Heritage System (Core area).

Policy Rationale for Mapping Changes in Areas 2a and 2b

From a policy standpoint, the term "OP Settlement Designation" implies that Regional and/or local Official Plan designations were taken into account to form the limits of the "OP Settlement Designation", however regarding the Town of Newmarket this does not appear to be the case. This area is heavily protected from development through the applicable Provincial, Regional and Local designations applicable to this area of the Town:

Policy Document	Designation
Growth Plan, 2017	Greenbelt Area
Greenbelt Plan, 2017	Oak Ridges Moraine Area
Oak Ridges Moraine	West of Bathurst St: Natural Core Area
Conservation Plan, 2017	East of Bathurst St: Settlement Area
York Region Official Plan,	West of Bathurst St: Natural Core Area / Regional Greenlands
2010	System

Development and Infrastructure Services/Planning & Building Services Report 2017-29 Proposed Natural Heritage System for the Growth Plan for the Greater Golden Horseshoe September 25, 2017 Page 4 of 8

	East of Bathurst St: Natural Linkage Area/ Regional Greenlands
	System
Newmarket Official Plan,	West of Bathurst St: Natural Core Area – Oak Ridges Moraine
2006	East of Bathurst St: Environmental Protection Area – Oak Ridges
	Moraine

As shown above, the only outlier to the restrictive, ORM-related designations is the Oak Ridges Moraine Conservation Plan, 2017 (ORMCP) which designates the area east of Bathurst Street as "Settlement Area". The Town has made previous submissions to the Province regarding better aligning this ORMCP designation with the other Provincial designations and policies, as well as other Regional and Local designations.

In sum, it does not appear that Official Plan designations (Local nor Regional) were consulted during the preparation of the "OP Designations" base mapping, as the name of this designation suggests. Furthermore, neither the 2017 Growth Plan, the 2017 Greenbelt Plan, the Region of York Official Plan, nor the Town of Newmarket Official Plan designate these lands in a manner that would permit large-scale development.

Any mapping changes should result from the Regional MCR and ROPA

Although the aforementioned mapping changes are logical and therefore suggested, they are not being formally recommended at this time. Staff believe that any mapping changes should result from the Municipal Comprehensive Review (MCR) that is currently being undertaken by the Region. It is being recommended that this Report be submitted to the Region as input to the MCR process.

The Region has re-commenced its Municipal Comprehensive Review (MCR) to establish a preferred Growth Scenario, and form the basis of a Regional Official Plan Amendment (ROPA). The MCR was initiated in 2014, but was put on hold until the Provincial Plans, 2017 were released. Town staff are directly involved in the MCR.

This review will include a holistic review of key policy areas, many of which result from the new Provincial Plans. A key part of this review will be to determine an intensification strategy and update growth forecasts taking into account new provincial policies regarding where and how to grow. Updates are anticipated regarding residential supply, and of key interest regarding the potential development of the Town's ORM lands, a preferred Growth Scenario will be provided. Following the conclusion of the MCR, the Region intends to have a ROPA prepared for Regional Council consideration/adoption by the end of 2019.

This MCR and ROPA will provide important guidance regarding the development rationale of the Town's ORM lands. It is therefore being recommended that any future changes to the Town's existing Official Plan designations occur following, and as a result of, this process.

Background Rationale for Areas 2a and 2b Mapping Changes (Town's ORM Lands)

The balance of this Report will provide information intended to provide a historic perspective regarding the existing local Official Plan designations that exist on the Town's ORM lands.

a) Newmarket applied environmental designations before there was an ORMCP

The Town's ORM lands have been protected by various Town and Regional Planning / growth management documents, as well as an Ontario Municipal Board (OMB) decision, for approximately 20 years.

In the mid 1990's, the Province began discussions about creating legislation intended to preserve the Oak Ridges Moraine. At the time, the Town was undertaking an Official Plan review, and although no formal Oak Ridges Moraine legislation was in place, the lands in the Town that were within the Oak Ridges Moraine area were designated "Oak Ridges Moraine" in the 1996 Official Plan.

The "Oak Ridges Moraine Conservation Plan" (ORMCP) was released by the Province in 2002. This Plan contained four land use designations: Natural Core Areas, Natural Linkage Areas, Countryside Areas and Settlement Areas. The moraine area within the Town was designated "Settlement Area" (east of Bathurst Street) and "Natural Core Area" (west of Bathurst Street).

b) Newmarket applied greater environmental protection than required by the ORMCP designation

During the following year, 2003, the Town amended the 1996 Official Plan to bring it into conformity with the ORMCP. During this process, rather than simply inserting the ORMCP designations (including the "Settlement Area" designation over much of the Town's ORM lands), Council at the time sought to provide a greater amount of protection to these lands, as permitted by the implementation sections of the ORMCP.

Council made this decision based largely on the findings of a "Natural Heritage Pilot Project" which was being undertaken the same year by the Town and LSRCA, in conjunction with Ontario Ministry of Natural Resources and York Region. This Project found that there is a significant concentration of sensitive, significant and high functioning ecological features within the Town's moraine area which qualify for additional levels of protection. The decision by Council to apply an environmental priority provides the policy basis that guides planning opinions on these lands today.

This additional protection was implemented through an amendment to the Town's Official Plan (OPA 28) which introduced a range of designations over the moraine area, providing greater levels of protection than the ORMCP's "Settlement Area" designation.

c) Aurora's Official Plan

As with Newmarket, the ORMCP designated a portion of the Town of Aurora "Settlement Area". Following this Provincial direction, Aurora Council approved OPA 48 which directly implemented the ORMCP's designations at a local level. This OPA designated much of the western and southern areas of the Town (including the northwest area abutting Newmarket) as "Oak Ridges Moraine Settlement Area" and established policies that supported development within these areas.

Although the two municipalities were designated the same in the ORMCP, Aurora's approach differed considerably from Newmarket's approach. At the direction of Council, Newmarket chose to study and protect its ORM lands, whereas Aurora established a more development-focused policy framework for its ORM lands. Rationale for this is best left to the Town of Aurora to comment on; however it is worth noting that the ORM is located within a far greater percentage of Aurora than the percentage of ORM located within Newmarket.

d) Newmarket defended its environmental Official Plan designations at the OMB

Following approval of the 2006 Official Plan, in 2006 a development application was submitted on a portion of the Town's ORM lands, and therefore subject to OPA 28. Known as the Mademont application, this submission proposed 448 residential units on approximately 29 ha of moraine lands. Staff did not support the application based on three fundamental areas of concern: (i) the ecological integrity of the Oak Ridges Moraine; (ii) required servicing connections across Armitage Creek; and (iii) growth management and conformity issues with the Provincial Growth Plan. The application was appealed by the applicant to the OMB and Council authorized staff to defend against the appeal.

The OMB Decision supported the Town's position, agreeing that the area was not appropriate for development given its concentration of ecological features and proximity to Oak Ridges Moraine Natural Core Areas. Also significant, the Decision confirmed that applying a more restrictive designation was within the rights of the municipality and implemented the ORMCP's stated goal of: *"maintaining, and*"

Development and Infrastructure Services/Planning & Building Services Report 2017-29 Proposed Natural Heritage System for the Growth Plan for the Greater Golden Horseshoe September 25, 2017 Page 7 of 8

where possible improving or restoring, the health, diversity, size and connectivity of key natural heritage features, hydrologically sensitive features and the related ecological functions."

To acknowledge the Town's successful defence of the Moraine at the OMB, in 2009 the Town received the Moraine Hero Award in the Municipal Leadership Category from EcoSpark and the STORM Coalition. This award was presented annually to a municipality (e.g. department, staff member or elected representative) who demonstrated outstanding leadership in protecting and preserving the Oak Ridges Moraine.



2009 Moraine Hero Award presented to the Town in 2009, as displayed in Town Hall.

e) Added Protection provided through the 2017 Provincial Growth Plan

The 2017 Growth Plan contains policies which limit growth in un-delineated built-up areas, areas that are not serviced by existing or planned water/wastewater servicing, or are in the Greenbelt area. These policies are intended to build upon those in the previous Growth Plan, and provide clearer direction regarding the efficient use of services. In addition, the concept of "strategic growth areas" is introduced in the 2017 Growth Plan. These are areas within "Settlement Areas" such as nodes, corridors, and other areas that identified by municipalities or the Province to be the focus for development (e.g. the Urban Centres).

While these policies are not in the ORMCP, they provide significantly more authority and provincial planning direction relative to protecting this area of the Town. In addition, the Growth Plan notes that where there is a conflict between other Provincial Plans and the Growth Plan regarding the natural environment or human health, the direction that provides more protection to the natural environment or human health.

COMMUNITY CONSULTATION

Not applicable to this Report.

HUMAN RESOURCE CONSIDERATIONS

There are no Human Resource impacts associated with this Report.

BUDGET IMPACT

There are no Capital or Operating Budget impacts associated with this Report.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

Well-planned & connected:

• Strategic growth by way of a comprehensive Official Plan.

Well-respected:

• Being an influential contributor to regional and provincial affairs.

CONTACT

For more information on this report, contact: Adrian Cammaert, Senior Planner, Policy, at 905-953-5321, ext. 2459; <u>acammaert@newmarket.ca</u>

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Peter Noehammer, P. Eng. Commissioner Development & Infrastructure Services

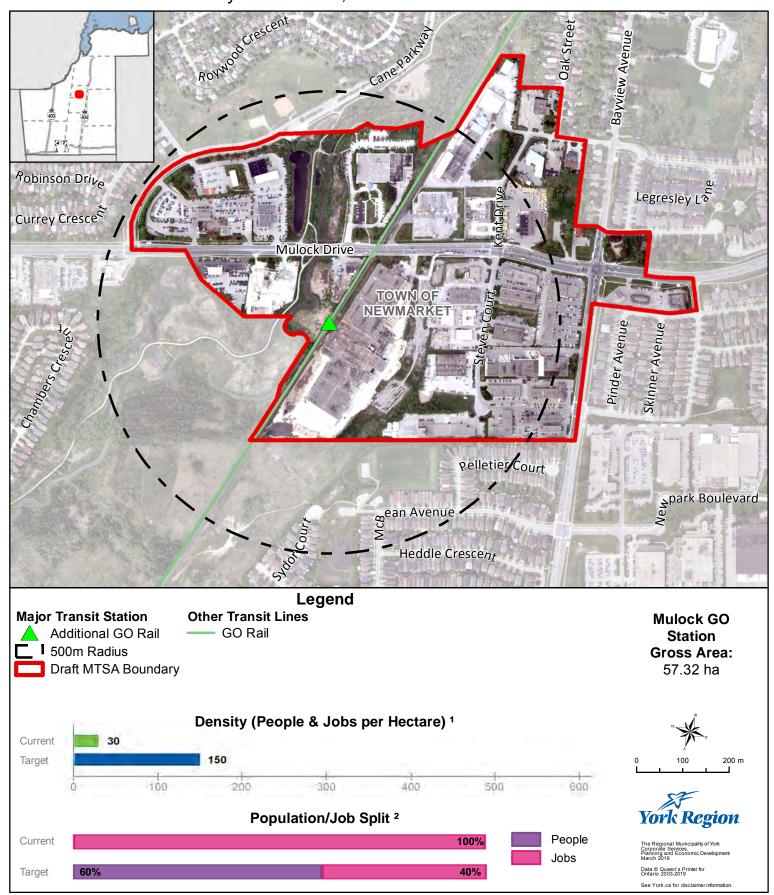
Attachment(s):

Attachment 1 – Proposed Natural Heritage System - Mapping Concerns

- Town's Natural Heritege System Deignahini - Town's Flood Plain Overlay; - Stable Residential Designationi - Town's Parks & Open Space Designation? Revise limits of NHS to account for: - Emerging Residential Designations Brat - From OP Sottlement Designation Armita to Proposed Natural Heritage System (Linkage area), subject to MCR. MAPPING CONCERNS 20 26 From OP Settlement Designation to Proposed Natural Hertage System (core area), subject to MCR. Existing Greenbelt Plan Area Natural Heritage System Greater Golden Horseshoe Growth Plan Outer Boundary **OP Settlement Designations** Proposed Growth Plan Natural Heritage System Greenbelt Plan Area Boundary Background Data 7

Mulock GO Station

On Barrie GO Line Corridor Near Mulock Drive and Bayview Avenue, Newmarket



Identification of this location as a MTSA is pending final approval from the Province of a GO train station at this location, it is included in the MCR at this time for further discussion.¹ Values are rounded to the nearest 5 People & Jobs per Hectare ² Values are rounded to the nearest 5%.

Attachment 3b

Mulock Station Area Secondary Plan Area





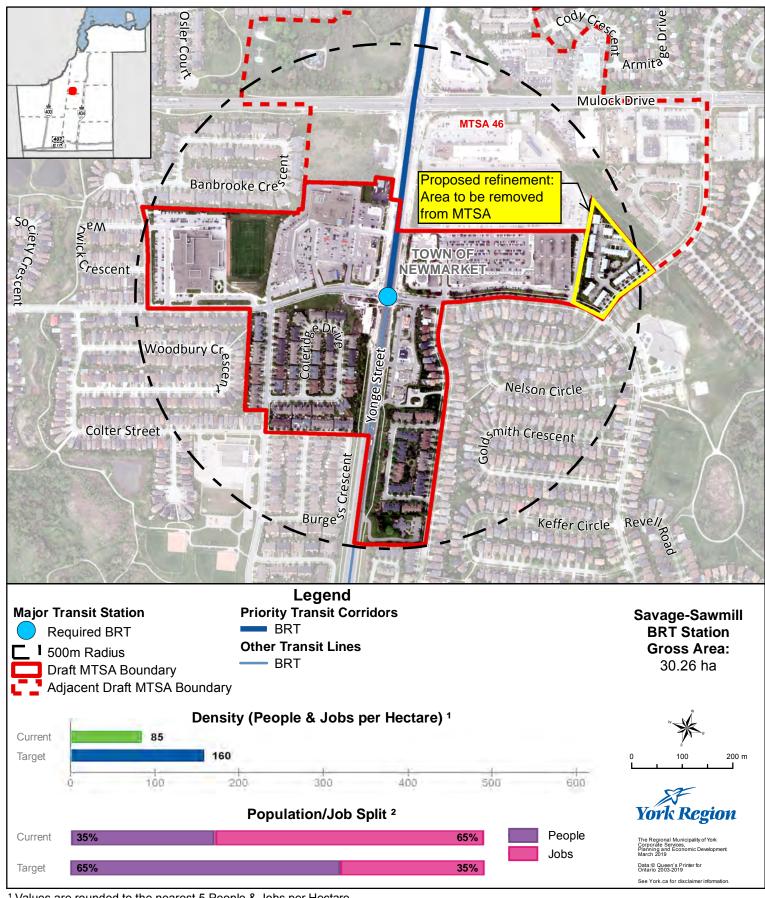
Mulock Station Area Secondary Plan

Attachment 4 MTSA 45

Savage-Sawmill BRT Station

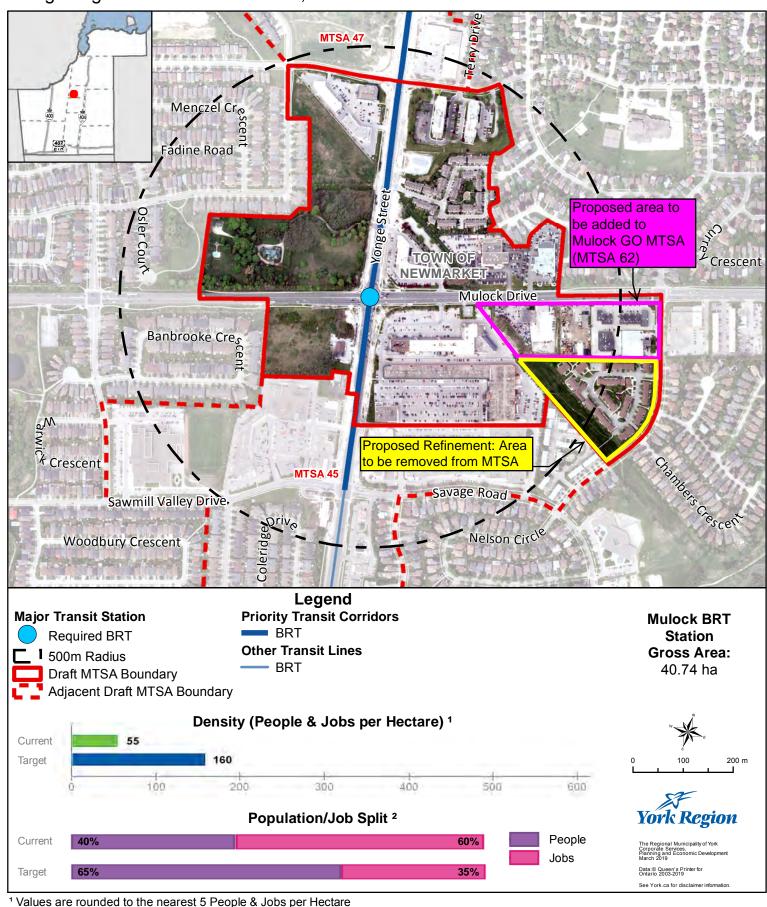
On Yonge North BRT Corridor

Along Yonge Street at Savage Road/Sawmill Valley Drive, Newmarket



¹ Values are rounded to the nearest 5 People & Jobs per Hectare ² Values are rounded to the nearest 5%

Mulock BRT Station On Yonge North BRT Corridor Along Yonge Street at Mulock Drive, Newmarket



² Values are rounded to the nearest 5%

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