

The Regional Municipality of York

Committee of the Whole
Planning and Economic Development
November 5, 2020

Report of the Commissioner of Corporate Services and Chief Planner

East Gwillimbury - Highway 404 Employment Corridor Secondary Plan

1. Recommendations

1. Council approve the Highway 404 Employment Corridor Secondary Plan as Amendment No. 1-2020 to the Town of East Gwillimbury Official Plan, 2010, subject to the modifications outlined in Attachment 1.
2. The Director of Community Planning and Development Services be authorized to issue Notice of Regional Council's decision.
3. Staff be authorized to appear before the Local Planning Appeal Tribunal in support of the Region's decision, if required, and the Regional Solicitor or designate, be authorized to execute Minutes of Settlement, if appropriate.

2. Summary

Under the *Planning Act*, upper-tier municipalities are the approval authority for local municipal Official Plan Amendments adopted by a local council. Any decision of Council related to this secondary plan is required to be consistent with the Provincial Policy Statement, 2020, and conform with applicable Provincial Plans, which include: the Growth Plan for the Greater Golden Horseshoe, 2019, the Lake Simcoe Protection Plan, 2009, and the York Region Official Plan, 2010.

Staff recommends approval of Amendment No. 1-2020 to the Town of East Gwillimbury Official Plan, 2010, subject to the modifications outlined in Attachment 1. Amendment No. 1-2020 is known as the Highway 404 Employment Corridor Secondary Plan (404 Secondary Plan). The primary purpose of the 404 Secondary Plan is to implement the policies of the Town of East Gwillimbury Official Plan (Town Official Plan) by applying land use designations and providing policies to guide future employment development that supports a complete range of office, industrial and limited retail uses.

Key Points:

- The 404 Secondary Plan supports the Town's vision of planning this key employment area to help balance residential growth with high-quality local employment opportunities as part of building a complete community for its residents

- Supporting the Town’s growth management goals and objectives forecasted by the York Region Official Plan, 2010 of 34,400 jobs by 2031, the 404 Secondary Plan accommodates planned employment growth of approximately 4,800 jobs
- The 404 Secondary Plan contains policies guiding employment development, ensuring environmental, cultural and heritage conservation and protection, and appropriate phasing/sequencing for required servicing and infrastructure
- Modifications are required and are supported by East Gwillimbury staff
- The 404 Secondary Plan, as proposed to be modified, is consistent with, and conforms to the applicable Provincial Plans and the York Region Official Plan, 2010

3. Background

The 404 Secondary Plan will accommodate employment growth on both sides of Highway 404 from Green Lane to Mount Albert Road

The 404 Secondary Plan area is bisected by Highway 404 and is bounded by Green Lane to the south, Mount Albert Road and Lot 7, Concession 3 boundary to the north, Woodbine Avenue to the east, and the western boundary runs along Highway 404 and a portion of Leslie Street (Attachment 2). The secondary plan area is approximately 196 hectares (484 acres).

The 404 Secondary Plan area was added to York Region’s Urban Area by Regional Official Plan Amendment No. 1

The 404 Secondary Plan area is part of an area approved for new urban growth during York Region’s growth management exercise in 2010 (Attachment 3). York Region Official Plan Amendment 1 (ROPA 1) added the lands to the Urban Area in the York Region Official Plan 2010 (YROP) as part of the Designated Greenfield Area and a New Community Area. The Green Lane Secondary Plan (GLSP) applies to the remainder of the ROPA 1 lands, which was approved by Regional Council in 2018.

East Gwillimbury adopted the 404 Secondary Plan and a Regional decision is required

Town of East Gwillimbury Council adopted the 404 Secondary Plan on July 28, 2020. The adopted Plan was sent to York Region on August 11, 2020 for decision. Under the *Planning Act*, York Region as the approval authority has 120 days to make a decision on a Secondary Plan, failing which it can be appealed to the Local Planning Appeal Tribunal (LPAT) for non-decision. The 120 day deadline for this secondary plan is December 9, 2020. Since receipt of the adopted 404 Secondary Plan, York Region and Town of East Gwillimbury staff have worked collaboratively to undertake a comprehensive review of this secondary plan in an effort meet the review timeline under the *Planning Act*.

Development of the secondary plan included public and stakeholder consultation as East Gwillimbury conducted various background studies

The Town undertook public and agency consultation to develop the secondary plan, enabling input from the public, landowners and key agency stakeholders, including York Region staff. Two public open houses, one virtual open house, a Council presentation, several Landowner Group meetings, and a statutory public meeting were held throughout 2019 and 2020. Regional staff from various departments attended three technical advisory meetings, participated in the review and provided comments on the secondary plan and various supporting background studies. A dedicated Town [website](#) was devoted to providing frequent updates and receiving public input throughout the secondary plan process.

As part of the secondary plan process, numerous background studies were conducted, including a planning summary, and studies on servicing, stormwater management, transportation, natural heritage, cultural heritage, noise assessment and abatement, fiscal impact analysis, servicing and development phasing analysis and urban design guidelines. The findings of these studies were used to prepare the secondary plan.

All documents prepared during the course of developing this secondary plan are available on the Secondary Plan project page of Town's [website](#).

The Province recently issued a Ministerial Zoning Order for an Auto Campus on lands within the Secondary Plan area

Effective August 13, 2020, the Province granted a Ministerial Zoning Order (MZO) to permit an auto campus on an 11-hectare (28 acre) property known as 1656 Green Lane East within the 404 Secondary Plan area. The Town anticipates the auto campus will generate 500 jobs. The proposed auto campus will be subject of a future site plan application and earthworks are proposed to commence soon.

The MZO allows the uses permitted in the Town's "Employment General (M2)" zone which includes a wide range of employment uses, and motor vehicle sales or rental establishments. The MZO also sets out specific development standards for the property related to yard requirements (setback and frontage), parking, loading and planting strips. The secondary plan designates these lands as Mixed Business Employment which permits automotive commercial uses including motor vehicle dealerships.

4. Analysis

The secondary plan accommodates planned employment growth along the Highway 404 corridor focusing on sustainability, high quality urban design and built form

The 404 Secondary Plan plans for employment uses along Highway 404 to help balance the surrounding residential growth with high-quality local employment opportunities as part of building a complete community for the residents of the Town and York Region. Attachment 4 shows the Land Use Plan for the secondary plan area. The 404 Secondary Plan envisions

the Highway 404 Employment Corridor being a comprehensively planned employment area that supports a complete range of office and industrial uses as well as limited retail uses in conformity with Provincial and Regional planning policies.

The 404 Secondary Plan takes advantage of its proximity to Highway 404 and provides enhanced access and connections. Streetscapes supporting active transportation and support public transit are planned. The area is planned to be visually attractive and sustainable, with enhancements at key focal points and gateways, supported by urban design guidelines. Development is planned on the basis of full municipal services with surface and ground water resources maintained and improved. Natural heritage resources are protected and enhanced, and cultural heritage resources retained and supported. It is the goal of this secondary plan to ensure the following objectives are met:

- Highway 404 Employment Corridor develops as a high-quality employment area that provides for jobs and assessment base for the Town
- Development of the Highway 404 Employment Corridor occurs in a comprehensive, cohesive and financially responsible manner

The 404 Secondary Plan provides detailed policies with respect to land use, including three employment land use designations, height and density provisions, urban design, protection of natural heritage, transportation, servicing, stormwater, groundwater protection, land use compatibility, and phasing and sequencing. The intent of the policies is to facilitate development within this employment area that will be compatible with surrounding uses, sustainable, transit-oriented, incorporates active transportation principles, pedestrian friendly, integrated with parks and open space, respects environmental and cultural features, and built with high quality urban design. Full build out of the secondary plan area anticipates approximately 4,820 jobs resulting in a net density of approximately 45 jobs per hectare.

Urban design guidelines direct development within the secondary plan area

Given the visibility from Highway 404, and the desire for high-quality, walkable employment lands, urban design guidelines support development in the secondary plan area. These guidelines promote high quality, sustainable urban design providing direction on building design, siting, screening, identified precincts and gateways, attractive streetscapes, while respecting and enhancing the Town character. The guidelines address matters such as signage and wayfinding, street edge design, building massing and transitions, vehicle and bicycle parking, public art, street furniture, lighting, trails and landscaping. Town of East Gwillimbury Council endorsed the urban design guidelines on July 28, 2020.

The secondary plan, as proposed to be modified, is consistent with and conforms to applicable Provincial Plans and the Regional Official Plan

The Town undertook a comprehensive review of applicable provincial and regional policies to ensure the 404 Secondary Plan is consistent with and conforms to these policies. The 404 Secondary Plan, as proposed to be modified, is consistent with, and conforms to, the applicable Provincial plans and the YROP. Table 1 summarizes consistency and conformity to the various Plans. Additional detail is provided in Attachment 5.

Table 1
Highway 404 Employment Corridor Secondary Plan
Planning Policy Analysis

Planning Policy Document	Policy Directions	Consistency and Conformity
Provincial Policy Statement, 2020	• Builds strong healthy communities	✓
	• Efficient use of land	✓
	• Land use compatibility	✓
	• Plans and protects employment areas	✓
	• Protecting public health, safety, and natural features	✓
Growth Plan for the Greater Golden Horseshoe, 2019	• Builds compact, active complete communities	✓
	• Provides convenient access to appropriate mix of jobs, local services, housing and community infrastructure while managing growth	✓
	• Efficient use of land and infrastructure and support transit viability	✓
	• Provides for economic/ employment opportunities including traditional industries	✓
	• Integrates climate change, conserving and promoting cultural and natural heritage resources	✓
Lake Simcoe Protection Plan, 2009	• Protects and improves the ecological health	✓
	• Promotes sustainable land and water uses, activities and development practices	✓
York Region Official Plan, 2010	• Protects Regional urban structure and plans for assigned employment growth forecast to 2031	✓

Planning Policy Document	Policy Directions	Consistency and Conformity
	• Ensures complete communities and supports for economic growth	✓
	• Meets Employment Land policies	✓
	• Protects Regional Greenlands System and water resources	✓
	• Plans for effective transportation systems and efficient infrastructure	✓
	• Sustainability and energy conservation	✓
	• Addresses New Community Guidelines	✓

Modifications are required to ensure consistency and conformity with Provincial and Regional Plans

Modifications to the 404 Secondary Plan, supported by Town staff, are recommended to:

- Ensure consistency and conformity with Provincial and Regional Plans, particularly the employment, sensitive land use, land use compatibility policies of the PPS, 2020 and YROP
- Provide clarity and make other minor typographical and formatting edits

These modifications are set out in Attachment 1. The modifications are considered minor in nature and do not alter the intent of the policies.

Build out of the secondary plan area requires completion of a number of infrastructure projects

Major infrastructure required for build out of the secondary plan area includes installing new local municipal watermains and wastewater trunk sewers along with providing transportation related infrastructure. Servicing is planned incrementally and in a logical order to assist with an efficient development pattern. Development within the 404 Secondary Plan is anticipated to proceed on full municipal water and wastewater services, with detailed engineering and servicing designs being undertaken as part of the Community Design Plan process.

The completion of a number of Regional infrastructure projects, including the Upper York Sewage Solution (UYSS) for sanitary servicing, will need to be in place to facilitate build out of the secondary plan area. Initial phases of development within this employment area may be supported through York Region’s Interim Servicing Solution for Aurora, Newmarket & East

Gwillimbury, subject to availability of the local infrastructure and York Region's assignment of the required capacity. The secondary plan includes a policy consistent with the Town Official Plan to permit private servicing on an interim basis, subject to criteria, until full municipal servicing is available.

The road network has been designed with a focus on connectivity within the 404 Secondary Plan for vehicles, transit and active transportation with the inclusion of trails and bike lanes. The location and alignment of new collector roads and their intersections are conceptual with minor revisions to the road alignment permitted during the development review process. The provision and location of local roads will be established through the Community Design Plan and draft plan of subdivision approvals. The 404 Secondary Plan provides direct vehicular access, active transportation and transit connections while relieving congestion along Green Lane with an east-west and north-south collector road. The east-west collector road includes a flyover of Highway 404 to ensure effective connections to Sharon as part of the approved Environmental Assessment for the road network continuation west of Highway 404.

The 404 Secondary Plan contains high-level policies related to phasing of development related to timing of infrastructure and includes a conceptual phasing plan on Schedule B-4. To date it has been identified that an interim local municipal pumping station and forcemain will be required for Phase 3 development, which may require landowners throughout the secondary plan area to enter into private cost-sharing agreements. Additional analysis regarding specific infrastructure needs, timing and servicing concepts will be undertaken as part of a community design plan process and through detailed engineering work in support of subsequent development applications.

Town of East Gwillimbury Council approved a resolution upon adoption of the 404 Secondary Plan directing Town staff to continue to work with regional staff regarding the timing and delivery of growth-related infrastructure to service the area.

A Community Design Plan will guide future development applications within the secondary plan area

Apart from the proposed auto campus subject to the Ministerial Zoning Order, and other limited instances as outlined in the 404 Secondary Plan, prior to development proceeding in the area, a community design plan process is required to further address a number of matters, including:

- Sustainable community development and energy conservation, energy efficiency and district energy feasibility
- Environmental protection
- Transportation and transit networks, including an implementation strategy for the east-west collector road and Highway 404 flyover
- Servicing concepts
- Phasing and staging

Council must consider written and oral submissions to East Gwillimbury Council and the effect of any written submissions received by York Region must be explained in the notice of decision

In accordance with the *Planning Act*, Council is required to have regard to both written and oral submissions made to Town of East Gwillimbury Council. Five written submissions were made during the June 23, 2020 Statutory Public Meeting. The written submissions considered by Town Council are summarized in Appendix 2 - Public Comments Response Matrix of the Town of East Gwillimbury's staff report ([July 28, 2020](#)). Matters outlined included the extent of the environmental protection area designation on specific properties, environmental protection policy wording, consideration of interim private servicing consistent with policies of the Town Official Plan, location of Harry Walker extension, policy recognition of the MZO, and location of the Highway 404 flyover.

To date, York Region has not received any written submissions. If received, staff will include a statement in the notice of decision that reflects Council's consideration of all written submissions.

5. Financial

Once approved, the 404 Secondary Plan implements policies of the YROP and provides policy direction that facilitates planned growth, which in turn, increases Regional and local assessments to pay for needed infrastructure and services. The secondary plan helps achieve York Region's assigned employment growth to 2031. As such, the required Regional infrastructure costs have been identified in York Region's Transportation Master Plan and Water and Wastewater Master Plan. Development charge revenues collected from new developments will support required growth related infrastructure.

In the event that Regional Council's decision is challenged at the LPAT there would be costs associated with defending the Region's position including staff resources and other costs of participation in appeal proceedings.

6. Local Impact

Town of East Gwillimbury Council adopted Amendment No. 1-2020 to the Town of East Gwillimbury Official Plan, known as the Highway 404 Employment Corridor Secondary Plan, on July 28, 2020. This secondary plan will implement the policy framework for an identified employment area to guide land use planning and development. Approval of the 404 Secondary Plan will assist East Gwillimbury in achieving its vision for the Town.

Town staff support the proposed modifications as outlined in Attachment 1. The proposed modifications in Attachment 1 incorporate policy revisions providing clarity and to ensure conformity with the YROP and Provincial Plans.

7. Conclusion

In 2010, additional lands in the Town of East Gwillimbury were brought into the urban area in both the Region and the Town's Official Plan that included the secondary plan area. The Regional Official Plan requires a secondary plan for New Community Areas to ensure each area is planned in a comprehensive and coordinated manner. The process to develop the 404 Secondary Plan began in 2019 and resulted in its adoption by Town Council on July 28, 2020. Background work and studies supporting the secondary plan were completed, and extensive consultation occurred throughout the process. The secondary plan supports the vision for a high quality, comprehensively planned employment area that supports a complete range of office and industrial uses as well as limited retail uses.

Approval of the 404 Secondary Plan (Amendment No. 1-2020), as modified, is consistent with the Provincial Policy Statement, 2020, and conforms to the Growth Plan, 2019, the Lake Simcoe Protection Plan, 2009 and the York Region Official Plan, 2010.

The 404 Secondary Plan is recommended to be approved, subject to the modifications in Attachment 1.

For more information on this report, please contact Sara Brockman, Senior Planner at 1-877-464-9675 ext.75750. Accessible formats or communication supports are available upon request.

Recommended by: **Paul Freeman, MCIP, RPP**
Chief Planner

Dino Basso
Commissioner of Corporate Services

Approved for Submission: **Bruce Macgregor**
Chief Administrative Officer

October 23, 2020
Attachments (5)
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