



March 30, 2022

By e-mail only to regionalclerk@york.ca

Chair Wayne Emmerson and Members of Council
Region of York
17250 Yonge Street
Newmarket, On. L3Y 6Z1

Dear Regional Chair and Members of Regional Council

Re: York Region Municipal Comprehensive Review ("MCR")
York Region Draft Official Plan 2021- December 2021 (the "Plan")
York Region 2022 Transportation Master Plan Update
York Region Housing Supply Update – February 2022
York Region Development Charges 2022

I am the land use planning consultant to North Elgin Centre Inc. (NEC), owner of the northeast corner of Yonge Street and Bernard Avenue, City of Richmond Hill. On behalf of NEC, I am providing both general and specific comments as input to the Region of York MCR and Official Plan Update process, and by implication, to several local MCRs, including the City of Richmond Hill City Plan 2041 Update.

Background

The NEC lands are located within a designated Secondary Plan area, known as the Yonge Bernard Key Development Area (KDA) and within the Region's *proposed* MTSA # 45. The NEC lands are currently used as a commercial plaza with a number of drive through operations. The Bernard Bus Terminal (BBT) is located across the street, at the south east corner of Yonge Street and Bernard Avenue, immediately south of the NEC site. The York Region Bus Rapid Transit way along Yonge Street (BRT) is now operational with a station immediately adjacent to the NEC lands.

The NEC lands and other lands within the Yonge Bernard Secondary Plan area, are currently the subject matter of a court application to have a new hearing before an impartial OLT panel, as a result of significant hearing unfairness and defects in the LPAT/OLT process. Part of the defective process that occurred included Regional Staff support for planning policies and zoning provisions which cannot be implemented, nor

should they be, at the local level because they do not support the policies of the currently in-force ROP 2010, nor current Provincial policies and plans.

Therefore, before we move to a new ROP 2022, with similar or tweaked policies and/or language, it is important to take stock of what went wrong in the planning process since the ROP 2010.

Planning Policy Documents and Zoning Bylaws contemplated in the 2010 ROP have not been brought into force, nor implemented to create complete communities along most of the Yonge Street Corridor

Both the ROP and local OPs (including the 2010 Richmond Hill OP) called for the preparation of Secondary Plans and Zoning Bylaws at specific locations along intensification corridors, including Key Development Areas (KDA's).

Unfortunately, for numerous reasons, none of these policy documents (or zoning regulations) are in place, and in several cases specific objection is taken to Staff's approach and the proposed policy framework, including zoning regulations.

In Richmond Hill, for example, many ongoing studies, including those for Transportation (Parking and Transportation Demand Management Strategy) and Stratification remain incomplete,¹ although they have been underway for some time, and other studies such as the Affordable Housing Strategy 2021, have not been well received and remain in flux. *The lack of planning certainty does not bode well for future housing starts.*

City (and Regional) Staff have opposed planning recommendations/solutions brought forward by landowner representatives.

Suggestions by NEC's planning and transportation consultants for the Bernard KDA, including use of private roads and stratification, eliminating minimum parking rates to provide for **zero car households**, were rejected by City and Regional planning and transportation staff – without input from Regional Council.

¹ In October 2021, the City released a draft Secondary Plan for Richmond Hill Centre. There is no parking strategy associated with the draft Secondary Plan and stratification is subject to Council approval.

Several Staff recommendations continue to undermine the ability of the private sector to construct (deliver) new housing units in support of complete communities along the Yonge Street Corridor.

A lesson to be learned from the Downtown Local Centre Secondary Plan process (DLC) in Richmond Hill is that no purpose is served creating or updating land use planning policies that have been expressly rejected by affected landowners as being outdated, unrealistic and not implementable. No development has occurred as a result of this lengthy and costly planning exercise, certainly not along the Yonge Corridor through Richmond Hill.

If there is no support for planning policy by key stakeholders, including the owners of the land upon which future development is expected to occur, there will be no development that will result in “complete communities”. People will choose to go elsewhere, as they have started to do, according to both Region and City reports regarding demographic trends.²

Promote the Creation of Zero Car (Car-Free) Households

To date the Region has failed to promote the creation of zero car (car free) households.

As part of the Regional MCR process, there has been discussion about creating and maintaining the *15-minute complete community*³ to support existing higher order transit, provide housing options and choice, and address climate change.

The emerging policy direction should specifically promote and support the creation of **zero car households** at the centre of MTSA’s and within a short (5 minute) walk to existing or planned *frequent transit service* or *higher order transit* corridors, by removing any minimum parking rate per dwelling unit⁴, an emerging trend in north American cities including Toronto. These zero car households will have alternative mobility options supported by TDM plans that do not require the household to pay for the cost of constructing and maintaining a parking space or a vehicle to be located in the

² See page 31 of <https://www.richmondhill.ca/en/shared-content/resources/documents/Affordable-Housing-Strategy-Background-Report.pdf>

³ A concept now included in the Draft December 2021 ROP.

⁴ Proposed ROP policy 2.3.19 a) which mirrors the existing ROP 2010 policy concerning parking requirements, must be revised to include provision for zero car households.

parking space. This results in more affordable housing units and support for the use of transit or other active transportation options.

Stratification of title should be mandatory

Promoting Complete Streets does not mean the creation of new “traditional” public streets.

The ROP continues to promote a fine grain grid network of public streets, in many cases, where they are not warranted and serve only to delay development (especially for existing commercial sites like NEC), while promoting vehicular use rather than reducing it and providing for an inefficient use of land.

For the past 2 years, City of Richmond Hill Staff have advised that they have been studying stratification arrangements (despite examples of stratified title arrangements already in existence in Richmond Hill, Markham and other areas). Unless stratified title is permitted as of right through Policy, intensification along the Yonge Street corridor, which translates into new annual housing units, will not be realized, thereby prolonging the housing crisis in York Region.

If the objective of the new ROP is to accommodate intensification and “future-proof” or “ready” the Region for significant change to 2051, then the proposed policies will not allow that to occur. In general, there are too many policies (and resulting zoning regulations to follow by the local municipalities) that will create impediments to mixed use, transit supportive development proceeding along the Yonge Street corridor in a timely manner.

Unfortunately, I have been a witness to many planning failures and poor planning outcomes over recent years which will only be perpetuated by the proposed new ROP Policies.

York Region has been unable to achieve *complete communities*

Regional Staff recently reported/confirmed that the Region’s ability to achieve complete communities is impacted by housing affordability and that a lack of affordable housing was contributing to slower growth in the Region over the past decade and that this slower growth has impacted development charge recoveries. The projected new housing supply

has not been realized along the Yonge Street corridor thus far, certainly not in Richmond Hill.

Staff's representations of the existing situation and future outlook for housing completions does not look promising. Regional Staff are now proposing to bring forward an Affordable Private Market Housing Implementation Plan in 2023 and other initiatives, as are their counterparts in the local municipalities.

<https://yorkpublishing.escribemeetings.com/filestream.ashx?DocumentId=30381>

Numerous reports of many types continue to be initiated, then issued by both Regional and local municipal Staff in furtherance of their respective MCRs (ongoing planning processes). The list of reports or items referred to in the subject line above is only a partial list of the reports I have reviewed.

To my knowledge, the Region has not prepared any technical reports or supporting studies in support of the ROP update. While there may be references to some reports by Regional Staff as *technical reports* and/or *technical studies*, in substance many of these reports are not technical reports at all.

The impediments to growth will be further exacerbated by many of the proposed policies and new framework set out in the latest **Draft York Region Official Plan**

If the Minister were to approve the ROP as proposed by Regional Staff, it is expected that growth will remain well below Provincial and Regional forecasts, for the foreseeable future, especially along the Yonge Street Corridor. Very little will get built and potential future residents will choose to, or be forced to, go elsewhere – which is what both the Region and City of Richmond Hill demographic studies point out.

Summary ROP 2022 Comments:

1. The policies are confusing, in part because they are layered with prescriptive requirements, which in turn refer to numerous maps/schedules and *overlays* for which there is no clear or understandable map schedule that can be easily interpreted.
2. There are numerous requirements for development (meaning landowners) to undertake further and more detailed studies, despite clearly established existing ROP Official Plan policies that outline the requirements for the preparation of such studies by the responsible public agencies, as input to and providing the basis for such

Secondary Plans and Comprehensive Zoning By-laws (which have not been completed).

3. It would appear that the operative parts of the Plan are to be implemented in 'digital format' as well. However, the data sources for the map schedules and overlays produced and available on-line from York Region, have obvious errors, certainly as related to the Greenlands system adjacent to the NEC lands (by way of example).
4. The Region has received data sets including ARC files created by 3rd parties and has accepted them as true and accurate when they are not based on any identifiable or sufficient studies. Because there are no sufficient studies, the policy requirements proposed are for the individual landowners, proposing development, to prepare more detailed studies based on terms of reference from the public authority(s) when these studies ought to have been prepared by the local municipality or the TRCA as part of a creating the map or schedule in the first instance or as part of a mandated Secondary Plan process.
5. Regional Staff continue to promote policies that do not support transit, nor a shift in the transit modal split. For example, Regional Staff continue to support a fine grain grid of public streets as opposed to supporting private streets with public access. Traditional public streets do not work in intensification areas and support the continued use of private vehicles. There is a need to promote stratification of title as a means to make efficient use of land and support innovative planning.
6. Regional Staff continue to promote high and inconsistent minimum parking standards for apartment dwelling units. They do this by declaring that parking is not a regional concern, but only a local issue. Since 2010, parking rates in intensification corridors were to be based on proximity to transit, and one would think, increasing the transit modal split. In practice, the Region (actually it is Regional Staff) leaves parking rates to the local municipality to determine. This practice has resulted in numerous and continuing long standing disagreements with Staff at the Region and local Planning and Transportation Staff. The result, unfortunately, has been that very little new high-density housing has been constructed along the Yonge Street corridor because of longstanding disagreements on parking rates and parking strategy along the intensification corridors.
7. The 2010 Regional Official Plan required local municipalities to designate Key Development areas through Secondary Plans and implementing zoning bylaws.

There is not one Secondary Plan approved, together with an implementing zoning bylaw, for lands within the Yonge Corridor through the City of Richmond Hill. It is therefore unclear how the Region's Chief Planner could conclude that the Region has met its *Planning Act* supply requirements.

Housing Supply Update - February 2022

<https://yorkpublishing.escribemeetings.com/filestream.ashx?DocumentId=29927>

8. The detailed Secondary Plan level technical studies that ought to have been prepared by the local municipalities and public authorities since 2010, in consultation with the Region and stakeholders, along the Yonge Street and other corridors, has simply not been done at all, or if done, only carried out as a desk top study. If the Provincial and Regional goal is to *now start to plan for complete communities* (more specifically, the 15-minute complete community), then the proposed policy framework does not provide for that to occur, in any type of timely fashion, if at all.

The Plan requires many revisions. Regional Council should direct Staff to meet with non BILD landowners and their representatives to discuss policy issues that require resolution and buy-in from landowners along Regional Corridors. There is no prospect that growth targets will be met if the affected landowners do not support the planning process and policy framework.

Yours truly



Michael S. Manett, MCIP, RPP.

Per: MPlan Inc.

Attachment A - Specific Comments on Proposed Regional Official Plan (version Dec 1, 2021)

cc. Paul Freeman, Chief Planner, Region of York
Kelvin Kwan, Commissioner of Planning and Infrastructure, Richmond Hill
Hon. Victor Fedeli, Chair of Cabinet
Hon. Steve Clark, Minister of Municipal Affairs and Housing
Hon. Caroline Mulroney, Minister of Transportation
Mayor David West, City of Richmond Hill
North Elgin Centre Inc.

ATTACHMENT A

Specific Comments on Proposed Regional Official Plan (version Dec 1, 2021)

1.0 INTRODUCTION and PURPOSE of the PLAN

Proposed Policy - 2021	Existing Policy (ROP 2010)	Comment
1.0		Introduction
1.1		For the purpose of the <i>Planning Act</i> and the <i>Municipal Act</i> , Chapters 1-7 of the Plan, inclusive of maps, appendix and tables, shall be considered the Official Plan of the Regional Municipality of York. (at pg 6) Comment: Noted.
1.4		Key guiding planning principles 1 – 10 (at page 9) Comment: Noted.
1.5		Preambles, Goals, objectives, policies, tables, maps etc constitute the official plan Comment: Noted.

2.0 THE FOUNDATION for COMPLETE COMMUNITIES

Proposed Policy	Existing Policy (ROP 2010)	Comment
2.0		The foundation for complete communities
2.1		Regional Structure
2.1.2		<p>That the policies in the plan be based on the Regional Structure on Map 1 outlining...b) a regional greenlands systems</p> <p>Comment: how was the greenlands system determined? And in relation to NEC lands? Why does the current green highlight (for Greenlands) have a different shape than the green found on the Map for the 2010 Plan? How have the maps been prepared? Who is providing the data? What is the data (data points) based on?</p>
2.1.3		That the regional structure consists of land use designations on Map 1A
2.1.4		Urban system land use policy areassee d) e) and f)
2.1.5		<p>That the Provincial Plan identifications on <i>Map 1C</i> include the Greenbelt Plan and Oak Ridges Moraine Conservation Plan land use designations overlaid with Regional Greenlands. The following Provincial land use designations provide land use and resource management planning direction for the protection of lands:</p> <p>d) urban river valleys</p> <p>Comment: Same comment as above.</p>
2.2		Integrated growth management
2.2.2		<p>Table 1 Pop and Employment forecast – assigned to municipalities (pg 16)</p> <p>Comment: How will Richmond Hill achieve these new forecasts since it failed to meet the old (existing) ones? Does the Region expect housing to be built? If so, how much and where?</p>
2.2.3		That growth management be integrated such that land use, financial and infrastructure planning achieve compact development patterns, promote the development of complete communities, optimize investments, provide

		<p>for environmental sustainability, and minimize land consumption and servicing costs.</p> <p>Comment: The Plan is not set up to achieve all of these objectives. There are no clear priorities set out in the Plan. There are no evident implementation mechanisms suggested for achieving these goals, which really are just statements representing a "good planning" wish list.</p> <p>See 2.2.7 – Region to recognize the role of partners</p> <p>Comment: Sounds good, but what does recognition entail. This does not occur in practice.</p> <p>See 2.2.8 – Region to work with other stakeholders to ensure a) a collaborative planning process.</p> <p>Comment: I cannot think of a situation where this has occurred. More importantly, what does this mean in practice? Does the Region include the private sector as stakeholders in the process? What is the Region proposing to do differently?</p>
<p>2.2.10</p> <p>2.2.12</p>		<p>That local official plans, master plans, capital plans, and secondary plans shall phase growth consistent with Section 2.2, Section 4.2.2 and Section 6.2 of this Plan.</p> <p>Comment: Why would this be required for Yonge Bernard KDA? Since 2017 the Secondary Plan has confirmed no servicing constraints exist. However, since 2020, the Region has supported a holding provision for development in the KDA dependent upon the completion of regional road network upgrades on regional streets far removed from Yonge Street and the Bernard KDA.</p> <p>This kind of transportation planning policy promotes vehicular use.</p>
<p>2.2.13</p>		<p>That local municipalities in consultation with the development industry, shall establish policies and/or strategies that align near term <i>development</i> priorities with existing infrastructure capacity.</p>

		<p>Comment: same as one above. Not sure what near term development priorities means. Also, typically the Region only speaks/consults with BILD and BILD does not represent most landowners.</p> <p>2.2.14 That <i>development</i> shall be prioritized in locations with existing Regional infrastructure capacity.</p> <p>Comment: Does this include the Bernard Bus Terminal. Is the BBT moving? Staying? What does prioritizing development mean?</p> <p>2.2.15 – confusing policy</p>
2.3		Supporting complete communities
2.3.1		<p>That communities shall be planned in a comprehensive and coordinated manner using land efficiently and optimizing infrastructure with a compact, mixed-use, pedestrian-friendly and <i>transit-supportive</i> built form.</p> <p>Comment: How does this relate to optimizing development on a site? In practice, the policies promote inefficient use of land, certainly in the north east quadrant of the Bernard KDA. In this area the Plan promotes unnecessary public roads, higher than necessary parking standards and unjustified buffers/setbacks from an existing man-made drainage channel block that has been in existence for many years as part of the infrastructure of the existing subdivision/neighbourhood.</p> <p>The Region should provide an example of where this policy is being, or has been, implemented,</p>
2.3.10		<p>That communities shall be designed to provide an integrated open space network that contributes to a sense of place and identity, promotes physical activity and social inclusion, to include:</p> <p>e. connections to the Regional Greenlands System, where appropriate.</p> <p>Comment: The land to the north of the KDA, beyond its boundary - the Channel Block – is municipal stormwater infrastructure, fenced on both sides, therefore how can it be feasible or appropriate to incorporate it into an integrated open space network.</p>

2.3.17		<p>That <i>development</i> shall be supported by a <i>mobility plan</i>, prioritizing <i>active transportation</i> and transit. The plan shall assess impacts on the Region’s transportation system, infrastructure</p> <p>Comment: If the intent is to create 15 -minute complete communities, then this cannot occur without an express commitment to creating numerous zero car households.</p> <p>The policies and zoning regulations supported by the Region to date do not allow this to occur.</p> <p>Mobility plans should be prepared at the Secondary Plan level so that sites that want to develop know in advance what is expected on the mobility front.</p>
2.3.18		<p>That local municipal official plans and/or secondary plans shall as a condition of <i>development</i> approval, require the provision of facilities to encourage an increase in the mode share of cycling trips, such as covered bicycle storage, lockers, and shower facilities</p> <p>Comment: Not sure that this thinking is relevant moving forward. Why as a condition of development approval? If there are to be conditions for this, why not have a provision for zero car household dwelling units?</p>
2.3.19	5.2.10	<p>That local municipalities shall, in consultation with the Region and related agencies, incorporate parking management policies and standards that include:</p> <p style="padding-left: 40px;">1. reduced minimum and maximum parking requirements that reflect the walking distance to transit and complementary uses;</p> <p>Comment: To date there is no clear direction from the Region on how to incorporate parking management policies and standards ...that reflect the walking distance to transit...</p> <p>Consistent with City of Toronto and City of Brampton, the policy should be revised to remove a minimum parking requirement for development on Regional Transit Corridors.</p>

2.3.1.7		<p>To reduce vehicle emissions by ensuring that communities are designed to prioritize <i>active transportation</i>, <i>transit-supportive development</i> and <i>intensification</i> in appropriate locations.</p> <p>Comment: Region does not appear to draw a link between parking requirements, the requirement for unneeded “fine grain roads”, that promote the use of vehicles, and vehicle emissions etc.</p>
2.3.2		<p>Housing our Residents There is a reference to “housing options” on page 25</p> <p>Comment: – there should be a requirement to create zero car households within a 15-minute complete community.</p>
2.3.2.1		<p>To provide for a mix and range of <i>housing options</i> suitable for all ages, household sizes and abilities, in partnership with local municipalities, senior levels of government, the development industry, community partners and other stakeholders including:</p> <ul style="list-style-type: none"> a. <i>affordable</i> housing to address need throughout the income spectrum, including market and <i>community housing</i>; b. emergency and transitional housing; c. co-housing; group, rooming, and special needs housing; and d. purpose built rental housing. <p>Comment: Please clarify the reference to “in partnership with”.</p>
2.3.2.3		<p>That a minimum 35% of new housing in Regional Centres and <i>major transit station areas</i> be <i>affordable</i> in each local municipality.</p> <p>Comment: Previously, the 35% figure was limited to Regional Centres and KDAs. To the extent that regional staff have sanctioned or approved any development within a Centre or KDA to date, how did they measure the 35%? How has it been handled to date in VMC and Markham Centre?</p>
2.3.2.4		<p>That a minimum of 1,000 new purpose-built rental units be built region-wide per year, with local municipal targets provided in Table 2.</p> <p>Comment: How did the Region arrive at this figure?</p>

		NEC has proposed rental on its lands through its input to the Yonge Bernard Secondary Plan, which the Region participated in, but this was given little consideration and is being unnecessarily delayed.
2.3.2.5		<p>To promote <i>housing options</i>, including those identified in 2.3.2.1 through the use of land use planning, financial and other tools, including:</p> <p>a)</p> <p>b. encouraging the development industry to:</p> <p>i. show flexibility in design and construction choices for new developments; and</p> <p>ii. Identify approaches and locations for <i>affordable</i> housing early in the development process.</p> <p>c. working with local municipalities and other key stakeholders to explore opportunities to deliver housing in a timely manner.</p> <p>Comment: The City of Richmond Hill OP and the Bernard KDA Secondary Plan do not require <i>housing options</i>.</p> <p>How is the development industry to be encouraged? There is no recognition in this Plan of methods that could be used to decrease the cost of housing, thereby leading to more affordable housing.</p> <p>Since housing options are not required and the Region supported this outcome we are unclear what the Region is now requiring. Please explain?</p>
2.3.2.6 2.3.2.7		<p>To require that local municipal official plan and zoning by-laws permit a range of <i>housing options</i>, unit sizes, tenure and levels of affordability within each community, including:</p> <p>1. consideration of inclusionary zoning;</p> <p>Comment: The policy is poorly drafted. In 2020 the Region rejected the need for Richmond Hill’s OP to provide for <i>housing options</i>.</p> <p><i>Why is the Region now changing its view on this matter?</i></p>
2.4		Cultural heritage

2.5		Managing excess soil from Development

3.0. A SUSTAINABLE NATURAL ENVIRONMENT

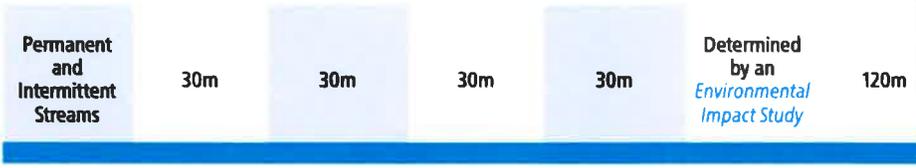
Proposed Policy	Existing Policy (ROP 2010)	Comment
3.0 (p. 38)		A sustainable natural environment Comment: the pre amble – which is operative - is generalized
3.1		
3.1.1		<p>3.1.1 To protect, restore and enhance the Regional Greenlands System and Water Resource System, features and functions shown on <i>Maps 1C, 2, 4, 7, 12A</i> and <i>12B</i> and to control new development and site alteration within the vicinity of the System in accordance with the policies of this Plan.</p> <p>Comment: NEC awaits the data points that make up the Greenlands system and line work. Information has been requested from regional staff but not provided.</p> <p>3.1.2 That the Regional Greenlands System and Water Resource Systems shown on <i>Maps 2, 4, 7, 12A</i> and <i>12B</i> are overlays and should be read in conjunction with other policies in this Plan relevant to the underlying land use designation.</p> <p>Comments: these maps are not legible, but the reader is referred to interactive maps. Are the <i>interactive maps</i> proposed to be an operative part of the plan? Who is responsible for interpreting these operative maps? Who is supposed to “operate” them?</p> <p>3.1.3 That local official plans shall identify and include policies to establish and protect the Regional Greenlands System and Water Resource System from development and site alteration. These systems shall incorporate, complement, and build on the systems identified in this Plan, and include</p>

	<p>policies for the identification and restoration of enhancement areas and linkages, as appropriate.</p> <p>Comment: This was to have been done by the public authorities in 2017, if not earlier as part of ORMCP conformity exercises.</p> <p>How much of Block 32 is covered by the Regional Greenlands system? What are the limits of the Greenland system in this area?</p> <p>3.1.5 That enhancements to the Regional Greenlands System <u>shall be the responsibility of all stakeholders</u> and may include Regional and local greening initiatives, public and private sector partnerships, land securement initiatives, ecosystem compensation/off-setting programs, education, stewardship promotion, remedial work, infrastructure projects and urban development to achieve ecological gains for the systems.</p> <p>Comment: Does this mean that NEC has to enhance the storm channel Block 32 which is owned and supposedly maintained by the City as part of its municipal infrastructure (and is beyond the boundaries of the KDA Secondary Plan area)?.</p> <p>3.1.6 To maintain linkages and related functions among surface water features, groundwater features, <i>key natural heritage features</i> and <i>key hydrologic features</i>.</p> <p>Comment: Is not the function of Block 32 to provide storm water management and conveyance as part of the municipal infrastructure.</p>
3.1.1	Watershed Planning
3.2	Regional Greenlands System Policies
3.2.1	<p>That the Regional Greenlands System (as shown on <i>Map 2</i>) consists of cores, corridors, and linkages. These include the Oak Ridges Moraine Conservation Plan's Natural Core Area and Natural Linkage Area designations, the Natural Heritage System within the Protected Countryside of the Greenbelt Plan, the <i>Natural Heritage System for the Growth Plan</i>, approved local natural heritage systems,</p>

	<p><i>key natural heritage features, key hydrologic features</i> and functions, and the lands necessary to maintain these features within a system.</p> <p>Comment: Region to confirm that Regional Greenlands system is located within Block 32 owned by the City. Are the boundaries of the Regional Greenlands system consistent with the similar “natural” designations in the provincial, local and TRCA planning documents. There must be a reasonable level of consistency among these documents (re mapping and policy) in order for a landowner to determine the impact on their properties.</p>
3.2.2	<p>3.2.2 That within Urban Areas and Town and Villages as identified on <i>Map 1</i>, refinements to the boundaries of the Regional Greenlands System may occur through approved planning applications supported by appropriate technical studies including subwatershed studies, master environmental servicing plans and <i>environmental impact studies</i> in accordance with the applicable Provincial plans and policies of this Plan.</p> <p>These refinements will be incorporated into this Plan through periodic updates by the Region and will not require an amendment to this Plan.</p> <p>Comment: This is not correct if there is a Secondary Plan requirement that requires that these matters be resolved at the Secondary Plan level. Through the implementation of Secondary Plans, it also appears that these studies are intended to be carried out by the private landowners as part of their development applications with no clear criteria to be followed and for other lands beyond the boundaries of the applicable applications.</p>
3.2.3	<p>3.2.3 That <i>development</i> and <i>site alteration</i> be prohibited within the Regional Greenlands System.</p> <p>Comment: Therefore NEC needs to know where the linework begins and ends and clearly be able to establish property boundaries related to this “System”</p> <p>3.2.4 That <i>development</i> and <i>site alteration</i> applications within 120 metres of the Regional Greenlands System shall be accompanied by an <i>environmental impact study</i>.</p> <p>The requirement for, content and scope of the <i>environmental impact study</i> will be determined through the pre-consultation meeting. The <i>environmental impact study</i> shall also address any requirements of the local municipality and all applicable Provincial plans.</p>

	<p>Comment: This should not be necessary, since there should be an EIS for the KDA prepared by the Regional and Local authorities in association with the TRCA. This adds more unnecessary cost to landowner applications. According to Regional and City OP policies for Secondary Plan preparation, the City was to have undertaken this study as part of preparing the Secondary Plan, which it failed to do.</p> <p>3.2.7 That where lands within the Regional Greenlands System are held in private ownership, nothing in this Plan requires that these lands be free and available for public use. Similarly, York Region Council is not obligated to purchase lands identified as part of the Regional Greenlands System.</p>
3.3	<p>Water Resources System</p> <p>Note: Does this mean the drainage within channel Block 32?</p> <p>3.3.1 To protect, restore and enhance the Water Resources System as shown on <i>Maps 4, 7 and 12A and 12B</i>.</p> <p>3.3.2 That <i>key hydrologic areas</i> within York Region are shown on <i>Maps 7, 12A and 12B</i> and include: a. <i>significant ground water recharge areas</i>; b. <i>highly vulnerable aquifers</i>; and c. <i>significant surface water contribution areas</i>.</p> <p>3.3.3 That <i>key hydrologic areas</i> shown on <i>Maps 7, 12A and 12B</i> shall be updated periodically through updates to this Plan and shall not require an amendment to this Plan.</p> <p>Comment: The Region wants all these studies for protection but City was to have done them for Bernard KDA. These studies should have been carried out as a foundation for an opportunities and constraints analysis forming the basis for the Secondary Plan which then would have properly addressed larger KDA development issues such as impact of a high watertable on underground parking. This also could have addressed maximizing development potential on sites adjacent to, or affected by such features and outlining appropriate mitigation measures to ensure that the implementation of the intensification policies for the KDA could be carried out in support of the higher level and other regional policies for this area.</p> <p>3.3.5 That the preparation of comprehensive master environmental servicing plans as part of Secondary Plans, to protect, improve or restore water quality</p>

	<p>and quantity including hydrologic function of water systems will incorporate best management practices with a goal that water balance and hydrologic functions will be maintained as much as possible. These plans will emphasize water conservation and may include water reuse and innovative technologies.</p> <p>Comment: This was never carried out for the Bernard KDA and should have been prepared by the City in association with the Region and TRCA.</p> <p>3.3.6 That <i>major development</i> on the Oak Ridges Moraine is prohibited unless a water budget and water conservation plan is prepared, consistent with the applicable watershed plan.</p> <p>Note: More detailed studies must be done at site plan but the overall KDA area study should have been done in order to provide for a proper planning framework for the overall development of the area.</p> <p>Comment: What does the Region or City MESP say about servicing through NEC lands? It is not clear that this matter has been addressed.</p>
3.3.1.1	<p>That <i>Map 7</i> shall be consulted in determining whether the Aquifer Vulnerability provisions of the Oak Ridges Moraine Conservation Plan, <i>Clean Water Act, 2006</i> and this Plan apply to applications for <i>development</i> and <i>site alteration</i>.</p>
3.4	<p>Natural Features – (relevant to KDA)</p> <p>3.4.1 That <i>key natural heritage features</i> and <i>key hydrologic features</i> within York Region include:</p> <p>a. ...</p> <p>b. <i>fish habitat</i>;</p> <p>c. <i>wetlands</i>;</p> <p>j. <i>permanent</i> and <i>intermittent streams</i>;</p> <p>3.4.2 That maps for <i>key natural heritage features</i> and <i>key hydrologic features</i> are provided for features where data is available for the purposes of implementing the policies of this Plan. These maps are meant to be informative and may be further refined subject to policies of this Plan.</p>

		<p>Permanent and Intermittent Streams • • •</p> <p>Lakes (and their littoral zones) • •</p> <p>3.4.7 That <i>key natural heritage features</i> and <i>key hydrologic features</i> shall be <u>precisely delineated on a site-by-site basis</u> using procedures established by the Province or other authorities, where applicable. Such delineation shall occur through the approval of <i>Planning Act</i> applications supported by appropriate technical studies such as master environmental servicing plans or <i>environmental impact study(ies)</i>. Where such delineation refines boundaries shown on Maps within this Plan, refinements to these Maps can occur without an amendment to this Plan.</p> <p>3.4.13 That the <i>vegetation protection zone</i> and adjacent land to <i>key natural heritage features</i> and <i>key hydrologic features</i> shall be determined through <i>environmental impact study</i> and meet the minimum widths identified in Table 3 below:</p>  <p style="text-align: center;">YORK REGION UPDATED DRAFT OFFICIAL PLAN 2021 3.4 NATURAL FEATURES DECEMBER 1, 2021</p>
		<p>Comment: The public authorities are required to do the studies.</p>

4.0 AN URBANIZING REGION

Proposed Policy - 2021	Existing Policy (ROP 2010)	Comment

		4.2 COMMUNITY AREAS POLICIES:
4.2.2		<p>That <i>Community Areas</i> shall contain a wide range and mix of housing types, sizes, tenures that include options that are <i>affordable</i> to residents at all stages of life. To require that local municipal official plans and zoning by-laws implement this mix and range of housing consistent with other Regional forecasts, intensification and density targets and the objectives of this Plan.</p> <p>Comment: a further reference to options, yet this was specifically rejected by Regional Staff in the 2020 OLT hearing for Bernard KDA.</p>
		4.4 INTENSIFICATION POLICIES
4.4.1		<p>4.4.1 That intensification be directed in accordance with the Regional hierarchy outlined in policy 4.1.3 to utilize land efficiently and sustainably by maximizing development potential that is commensurate with available hard and soft services and existing <i>infrastructure</i>, while having regard for the local context.</p> <p>Comment: The requirement to utilize land efficiently is not something that has occurred to date, based on my experience in York Region. There are no clearly established criteria to be applied to applications to provide for maximizing development potential and utilizing land efficiently.</p>
4.4.2		Comment: has this occurred to date?
4.4.7		<p>That the majority of residential <i>intensification</i> shall be directed to locations which provide access to human, educational, and social services, retail, employment, arts, culture, parks, recreational facilities and transit within a 1- minute walk and in a manner that is consistent with the policies in Section 2.3 this Plan.</p> <p>Comment: Why the reference to a 15-minute walk? If this is a clear direction and intent of the Region, these areas should be identified at the local level in Secondary Plans, and implementation policies should be in place to support the intent.</p>
4.4.8		<p>That <i>intensification</i> shall include a variety of medium and high density dwelling unit types and sizes to provide housing choice. Larger family type units shall be encouraged to accommodate the Region’s forecast.</p> <p>4.4.9 To direct a significant amount of mixed-uses, including street-related commercial, to <i>strategic growth areas</i>.</p>

<p>4.4.10</p> <p>4.4.11</p>		<p>That local municipalities shall undertake comprehensive planning studies in planning for <i>intensification</i> within the <i>strategic growth areas</i>.</p> <p>Comment: As noted above, this has not occurred to date concerning the Yonge Bernard KDA and most of Richmond Hill along the Yonge Corridor.</p> <p>Comment: Same as one above.</p>
<p>4.4.12</p>		<p>That local municipalities shall identify minimum and maximum density and height targets for <i>strategic growth areas</i> in a manner that is consistent with Regional and local municipal intensification hierarchies.</p> <p>Comment: So the locals are to now set targets?</p>
<p>4.4.19</p>		<p>That all new buildings in <i>strategic growth areas</i> shall front the major street. Reverse lotting on the street is not permitted and site design shall orient the main building entrance(s) to face the public street(s) and provide a pedestrian friendly urban form where appropriate, as determined by the local municipality. Surface parking between the main building entrance and the major street shall not be permitted.</p> <p>Comment: This policy should be deleted since it refers only to public streets and omits reference to private streets. Site design should not be left to be determined by the local municipality.</p>
<p>4.4.23</p> <p>4.4.24</p>		<p>Comment: Please explain why such a requirement should be set out in “equivalent comprehensive planning studies”. What does this mean?</p> <p>That local municipalities shall prepare an implementation strategy to address the requirement that a minimum 35% of new housing units in Regional Centres and MTSAs be affordable.</p> <p>Comment: To-date this has not occurred. It is odd to have a requirement for 35% but then ask the local municipality to prepare an implementation plan. Is this an additional plan to the plan the Region will prepare?</p>
<p>4.4.26</p>		<p>4.4.26 That <i>secondary plans</i> or other equivalent comprehensive planning studies and/or <i>development</i> contemplated within <i>strategic growth areas</i> address the following minimum criteria, as appropriate, to the satisfaction of the Region:</p>

		<p>f. the establishment or continuation and implementation of a fine-grained street grid that incorporates sidewalks and cycling facilities;</p> <p>g. public connections between sites and shared access;</p> <p>l. encourage the inclusion of public benefits (<i>affordable</i> housing, art, etc) in all significant private sector developments and require the dedication of 1% of the capital budget of all major Regional and local municipal buildings to public benefits;</p> <p>Comment: The insistence on public streets is unnecessary and inappropriate in many cases. Is affordable housing to be encouraged only?</p> <p>m. ensure natural and recreational connections and enhancements to and within local and Regional Greenlands Systems;</p> <p>Comment: See concerns/comments re Block 32.</p>
4.4.28		<p>That local municipalities consider a full range of implementation strategies for <i>strategic growth areas</i> that include as-of-right zoning, streamlined development approvals, development permits and other applicable tools.</p> <p>Comment: Same comment as provided earlier. Asking the local municipality to consider something does not address the housing crisis and lack of supply in the Region.</p> <p>As of right zoning should have been put in place years ago. Most zoning bylaws are outdated even the Bernard KDA zoning bylaw.</p> <p>Streamlining approvals should occur but does not occur at the local or regional level for reasons discussed.</p> <p>The plan should include creation of zero car households.</p>
		<p>4.4.2 REGIONAL CORRIDORS and MAJOR TRANSIT STATION AREAS</p>
4.4.2.2		<p>That Regional Corridors along transit routes function as urban mainstreets that have a compact, mixed-use, well-designed, pedestrian-friendly and <i>transit-supportive</i> built form and allow for <i>active transportation</i></p> <p>Comment: They should also allow for the creation of zero car households</p>

4.4.2.9		<p>That local municipalities shall establish policies in their official plan, other implementation documents and appropriate zoning, for <i>major transit station areas</i> shown on <i>Map 1B</i> and <i>Appendix 2</i> that address the following:</p> <p>Comment: Just how has the Region and local municipality implemented this type of policy to date? As an example, the Yonge Bernard KDA zoning bylaw should be evaluated to see if it has appropriate zoning to implement the policies – which it does not. There is no provision for car share, car pooling etc and or zero car households.</p>
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5.0. SUPPORTING the AGRICULTURAL SYSTEM

Proposed Policy - 2021	Existing Policy (ROP 2010)	Comment
		To be provided

6.0 SERVICING OUR COMMUNITIES

Proposed Policy - 2021	Existing Policy (ROP 2010)	Comment
		<p>6.1.1.6 To achieve an overall non-auto mode split of 30% during rush hours in the Urban Area and 50% in the Regional Centres, Regional Corridors and <i>major transit station areas</i> during rush hours by 2051.</p> <p>Comment: A key driver to achieving the non auto mode split will be the creation zero car households.</p>

		<p>6.3.1.5 To integrate pedestrian, cycling and transit activities through improvements such as bicycle racks and storage at transit stops, bicycle racks on buses, and improved access for pedestrians and bicycles at transit stops, commuter lots, park and ride facilities, stations and terminals, where warranted.</p> <p>Comment: The Bernard bus terminal is adjacent to the site. Is it staying or moving?</p>
		6.3.2 TRANSIT
6.3.2.3		
To 6.3.2.6		
6.3.2.10		<p>6.3.2.3 To protect for and develop transit corridors and related <i>infrastructure</i> necessary to establish the York Region Transit Network as illustrated on <i>Map 10</i>.</p> <p>Comment: Does the transit network contemplate a break in the BRT line north of the existing station box at Yonge Bernard. Regional Staff claim they can cause a break in the BRT whenever they decide.</p> <p>j. requiring that <i>development</i> applications include a <i>mobility plan</i> that addresses the criteria in policy 4.2.1.8 in this Plan and demonstrates the proposal's approach to support transit and other non-automobile modes of travel.</p> <p>What is contemplated here for Yonge Bernard KDA?</p>
6.3.3.2: 0		<p>6.3.3.20 To require local municipalities to plan for, protect, and implement, including land takings necessary for, continuous collector and local streets in both east-west and north-south directions in each concession block, in all new urban developments, including <i>new community areas</i> to ensure an integrated finer grid street network is developed.</p>

		<p>Comment: This policy is a non starter for the NEC site and many other sites. Traditional public roads waste land in intensification areas and support increased vehicular use, not the opposite.</p>
		<p>6.3.3.23 To require local municipalities to include new local streets and shared private roadway systems in emerging infill areas within secondary, block and tertiary plans to:</p> <ul style="list-style-type: none"> a. consolidate access along Regional roads; b. minimize the use of cul-de-sacs, dead-ends which inhibit infill <i>development</i> from integrating with existing communities; and c. implement a street network that supports the delivery of emergency services. <p>Comment: Same comment as above.</p>
		6.5 STORMWATER MANAGEMENT
6.5.4		To require the preparation of comprehensive master environmental servicing plans, or appropriate technical studies, as a component of <i>secondary plans</i> and <i>major development</i> or re-development to protect ground and surface water quantity and quality based on applicable guidelines, policies and best practices.
6.5.5		<p>That comprehensive master environmental servicing plans, or equivalent technical studies, as a component of <i>secondary plans</i> and <i>major development</i> or re-development establish planning, design, and construction practices to minimize vegetation removal, grading and soil compaction, sediment erosion, and impervious surfaces.</p> <p>Comment: The Region has not insisted that this work be done by the City of RH, as part of the Yonge Bernard KDA.</p>

7.0. IMPLEMENTATION of the OFFICIAL PLAN

Proposed Policy - 2021	Existing Policy (ROP 2010)	Comment

		<p>Comprehensive monitoring and sharing data with the Region’s partners and stakeholders will help measure the success of this Plan. Monitoring allows the Region to respond to new trends and to continuously improve the effectiveness of this Plan.</p> <p>Comment: See below.</p>
7.2.6		<p>To work in partnership with local municipalities to make land use planning data publicly accessible.</p> <p>Comment: Data is currently not available. The Region has not provided it and Richmond Hill require an FOI request to obtain data. The data, if provided, may then be arbitrarily redacted.</p>
7.3.1		<p>That local official plans and comprehensive zoning bylaws shall be brought into conformity with this Plan in accordance with the <i>Planning Act</i>.</p> <p>Comment: There is no timeline for the carrying out of this conformity exercise to be completed.</p>
		<p>7.3.8 That amendments to local official plans may be exempt from Regional approval where they are of local significance and no Regional interest is adversely affected. Amendments impacting any one of the following areas are not eligible for exemption:</p> <ul style="list-style-type: none"> a. applications directly and substantially affecting Regional servicing infrastructure including, but not limited to, transportation, water, and wastewater; b. applications that substantially change Regional capital forecasts; c. urban boundary expansions; d. major secondary plans; e. retail applications having a Regional impact; f. applications within the Regional Greenlands System; g. applications with cross-boundary impacts; or h. applications in the Parkway Belt West Plan.

		<p>Comment: Regional Staff as opposed to Regional Council have exempted many secondary plans from Regional Council approval. This may well explain why the Region is in a housing crisis.</p> <p>7.3.11 - List of studies will only further delay housing starts.</p>
7.3.13		<p>That all Regional studies required in this Plan be included in local municipal official plan complete applications requirements</p> <p>Comment: This will only delay development and increase cost. Many studies should have been undertaken by the public authority at the Secondary Plan level. It is not clear how an individual applicant could implement this requirement through a development application to ensure a “complete application” could be filed.</p>
7.4.3		<p>That the boundaries and elements identified on Maps 1 to 12 are fixed unless otherwise specified in the policies of this Plan. Where permitted, exact boundaries shall be defined in local official plans and zoning bylaws, except in the following cases:</p> <p>a. the boundary of the Oak Ridges Moraine Conservation Plan, 2017 and the Greenbelt Plan, 2017. In this case, the boundaries are fixed and may only be clarified through reference to the applicable Provincial Regulations; and,</p> <p>b. the boundaries of the Urban Area identified on <i>Map 1</i>, are fixed where they are identified by a municipal street, rail line, parcel fabric as it exists on the day of adoption of this Plan, lot and/or concession blocks, or, other clearly identifiable physical features.</p> <p>Comment: This work should have been done years ago by the local municipality and TRCA.</p>
		<p>Definitions</p> <p><i>Housing Options</i></p> <p>A range of housing types such as, but not limited to single detached, semi-detached, rowhouses, townhouses, stacked townhouses, multiplexes, additional residential units, tiny homes, multi-residential buildings. The term can also refer to a variety of housing arrangements and forms such as, but not limited to life lease housing, co-ownership housing, co-operative housing, community land trusts, land lease community homes,</p>

		<p>affordable housing, housing for people with special needs, and housing related to employment, institutional or educational uses.</p> <p>Comment: There is a need to permit and promote the creation of zero car households as part of this mix.</p>
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