

April 7, 2022

File No.: 587976-1

Sent via E-mail: regionalclerk@york.ca

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

Dear Mr. Raynor,

Re: **11861 and 12045 McCowan Road (the “Lands”), Town of Whitchurch-Stouffville, Regional Municipality of York – TORCA 1 Inc.**

We are counsel for TORCA 1 Inc. (formerly Orca Equity) with respect to the above noted matter.

We reviewed the December 2021 draft of the York Region Official Plan (“YROP”) and note that there is a mapping error with respect to the Lands.

As you know, the Lands are subject to a Minister’s Zoning Order (O. Reg. 770/21), as reflected in the below. The Lands were included in the November 2021 draft of the YROP, but were omitted from the December, 2021 version, and are removed from the Urban Area/Urban System designations of the YROP. Staff at the Town of Whitchurch-Stouffville identified this discrepancy in the enclosed staff report dated March 23, 2022. Following recommendation 4, Town Council voted to endorse a staff recommendation to have the Lands brought into the Town’s municipal boundary.



Fernanda Lopes & Associados ► Guevara & Gutierrez ► Paz Horowitz Abogados ► Sirote ► Adepetun Caxton-Martins Agbor & Segun ► Davis Brown ► East African Law Chambers ► Eric Silwamba, Jalasi and Linyama ► Durham Jones & Pinegar ► LEAD Advogados ► Rattagan Macchiavello Arocena ► Jiménez de Aréchaga, Viana & Brause ► Lee International ► Kensington Swan ► Bingham Greenebaum ► Cohen & Grigsby ► Sayarh & Menjra ► For more information on the firms that have come together to form Dentons, go to [dentons.com/legacyfirms](https://www.dentons.com/legacyfirms)

We look forward to your confirmation that the error will be corrected as soon as possible, and the correct proposed designation for the Lands will be reflected in the next iteration of the YROP.

Should you have any questions please do not hesitate to contact me.

Yours truly,

Dentons Canada LLP



Katarzyna Sliwa
Partner

KS/lz

Subject: Comments on the Draft York Region Official Plan (D08)

Staff Report No. DS-010-22

Department: Development Services

Date: March 23, 2022

Recommendation:

- 1) That Council endorse the Town of Whitchurch-Stouffville Comments on the Draft York Region Official Plan, December 2021 (Attachment 1 to this Report), and direct staff to forward this Report to York Region and Minister of Municipal Affairs and Housing, and the Hon. Paul Calandra, MPP; and**
- 2) That Council request York Region to engage with the Minister of Municipal Affairs and Housing to seek an amendment to O. Reg. 140/02: Oak Ridges Moraine Conservation Plan under the Oak Ridges Moraine Conservation Act in support of the proposed changes to the settlement area boundary to permit the South Gormley Employment Expansion Area and the Bethesda Road Community Expansion Area, as identified in the Draft York Region Official Plan, as resolved by Regional Council on November 16, 2021; and**
- 3) That Council request York Region to modify the proposed settlement expansion areas for the South Gormley Employment Expansion Area and the Bethesda Road Community Expansion Area to exclude lands that are designated as Natural Linkage Area under the Oak Ridges Moraine Conservation Plan or comprise part of the Natural Heritage System within the Protected Countryside Area of the Greenbelt Plan, as shown on Attachment 1 (Figure 1) to this Report, which is not permitted in accordance with Provincial Policy; and**
- 4) That Council request York Region to designate the lands subject to the ORCA Equity Minister's Zoning Order (O.Reg. 770/21), and all of the remaining whitebelt lands bound by Highway 48, Stouffville Road, McCowan Road, and the Town's municipal boundary, as Urban Area (Community Area), as identified in Attachment 1 (Figure 1) to this Report; and**
- 5) That Council request York Region to update the Town's growth forecasts and allocations in Table 1 of the Draft York Region Official Plan to reflect the ORCA Equity Minister's Zoning Order (O.Reg. 770/21), and all of the remaining**

whitebelt lands bound by Highway 48, Stouffville Road, McCowan Road, and the Town's municipal boundary; and

- 6) That Council request York Region to identify the Community of Stouffville as an Urban Area (as opposed to a Town and Village) in the Draft York Region Official Plan, as it is the primary settlement area and the focus of growth and intensification within the Town, and consistent with the new Community Expansion Areas to the west; and**
- 7) That Council request York Region to designate the Gormley Secondary Plan Area as predominately an Employment Area (as opposed to a Hamlet) on Map 1A of the Draft York Region Official Plan, consistent with the South Gormley Employment Expansion Area; and**
- 8) That Council request York Region to identify Hamlets on Map 1 of the Draft York Region Official Plan, as they are designated settlement areas and will continue to be a focus of more limited growth and development within the Town of Whitchurch-Stouffville, and form an integral part of the Region's and Town's settlement area hierarchy; and**
- 9) That Council request York Region to identify the North Gormley, Vandorf, and Davis Drive lands as Strategic Employment Lands in the Draft York Region Official Plan as shown in Attachment 1 (Figure 2) to this Report; and**
- 10) That Council request York Region to modify the servicing requirements to provide greater flexibility and permit the use of private communal water and wastewater services for both residential and employment multi-unit/lot development in Hamlets and Town's and Villages, as the preferred form of servicing, in instances where municipal sewage services and municipal water services are not available, planned or feasible, in accordance with Section 1.6.6.3 of the Provincial Policy Statement; and**
- 11) That Council request York Region to include a new notwithstanding policy in Section 4.5 (Towns and Villages) that recognizes that additional growth and development in the Community of Ballantrae may be permitted in conformity with Official Plan Amendment 136, once approved and pending mediation at the Ontario Land Tribunal, with an appropriate water and wastewater solution; and**
- 12) That Council supports the orderly phasing and timing of growth and provision of infrastructure within strategic growth areas and lands identified for urban development through a Minister's Zoning Order. It is recommended that the Region consider alternative means of funding the development of new infrastructure which should consider the use of front-ending agreements with landowners to expedite the provision of housing supply within the Region.**

1. Purpose:

The purpose of this Report is to seek Council endorsement of staff's recommended comments on the Draft York Region Official Plan, December 2021, as outlined in Attachment 1 to this Report.

2. Executive Summary:

The Region of York is undertaking a Municipal Comprehensive Review (MCR) to conform to the Province's A Place to Grow: Growth Plan for the Greater Golden Horseshoe, and released a Draft York Region Official Plan (ROP) in December 2021 for consultation. The Region has requested Council endorsed comments on the Draft ROP by March 31, 2022. The provincial conformity deadline for the Region is July 1, 2022, and the Region anticipates bringing forward a revised ROP for Council endorsement in June 2022. The Statutory Open House and Public Meeting to present the revised ROP is anticipated in May 2022.

The purpose of this Report is to seek Council endorsement of staff's recommended comments on the Draft York Region Official Plan, December 2021, as outlined in Attachment 1 to this Report. Section 4 of this Report summarizes the key comments in relation to the Report Recommendations, which relate primarily to:

- The inclusion of additional settlement area expansions to include the ORCA Equity Ministers Zoning Order (O.Reg. 770/21) and the remaining whitebelt lands within the area bound by Highway 48, Stouffville Road, McCowan Road, and the Town's municipal boundary in order to comprehensively plan for this New Community Area;
- An increase to the Town's population and employment forecasts to reflect the requested additional settlement expansion areas, as noted in the point above;
- The identification of the Community of Stouffville as an Urban Area (as opposed to a Town and Village), as it is the primary settlement area and the focus of growth and intensification within the Town;
- The designation of the Gormley Secondary Plan Area as predominately an Employment Area (as opposed to a Hamlet) on Map 1A of the Draft York Region Official Plan, to recognize that these lands will accommodate more intensive employment development on full municipal services, and provide for a contiguous northerly extension of the Employment Area along the Highway 404 Corridor;
- The identification of Hamlets on Map 1 of the Draft York Region Official Plan, as they are designated settlement areas and will continue to be a focus of more limited growth and development within the Town, and an important component of the Regional structure;

- The identification of Strategic Employment Lands to recognize and ensure that these lands are protected and planned for future employment uses beyond the 2051 planning horizon; and
- Modifications to the servicing requirements to provide greater flexibility and permit the use of private communal water and wastewater services for both residential and employment multi-unit/lot development in Hamlets and Town's and Villages, as the preferred form of servicing, in instances where municipal sewage services and municipal water services are not available, planned or feasible, in accordance with Section 1.6.6.3 of the Provincial Policy Statement.

The Town's Official Plan Review (OPR) is being undertaken iteratively and concurrently with the Region's MCR. The Town's OPR will address the opportunities and challenges of planning and building in the Town and will result in a new Official Plan that implements Provincial and Regional planning policies in a locally appropriate manner. The Town's new Official Plan is required to conform to the ROP, as such, it is imperative that the Region's new Official Plan addresses the land use planning and growth needs and settlement hierarchy within the Town. It is anticipated that a draft of the Town's new Official Plan will be available for review and consultation by early to mid 2022, with Council adoption targeted for the summer of 2022, pending the timing of adoption of the ROP.

3. Background:

The Region of York is undertaking a Municipal Comprehensive Review (MCR) to conform to the Province's A Place to Grow: Growth Plan for the Greater Golden Horseshoe, and released a Draft York Region Official Plan (ROP) in December 2021 for consultation.

York Region is anticipated to grow to approximately 2.02 million residents and 990,000 jobs by 2051. The Region's goal is to build healthy and complete communities, where residents of all abilities and ages can live, work and play. An update to the ROP is required to ensure policies are in place to sustainably accommodate this growth and protect natural and agricultural areas. The Official Plan describes how the Region plans to accommodate future growth and development while meeting the needs of existing residents and businesses in the Region. The ROP was last updated in 2010 and since then, many Provincial Plans have been revised, and an update is required to align with the revised Provincial Plans and Provincial Policy Statement.

The Draft ROP released for public consultation in December 2021 is available on the Region's webpage: <http://york.ca/haveyoursay>

It is noted that the Draft ROP, incorporates various resolutions of Regional Council from November 2021 regarding the growth forecasts, land needs assessment, and proposed settlement area expansions, including:

- Settlement area expansions in the Town of Whitchurch-Stouffville to include the South Gormley Employment Expansion Area and the Bethesda Road Community Expansion Area in lieu of the whitebelt lands, as shown on Map 1 of the Draft ROP. A portion of the whitebelt lands between Highway 48 and McCowan Road have been maintained as community land given recent approved Minister Zoning Orders which permit urban development. On November 25, 2021, Council resolved: That should the Minister of Municipal Affairs and Housing refuse the request for an amendment to O. Reg. 140/02: Oak Ridges Moraine Conservation Plan under the Oak Ridges Moraine Conservation Act to permit the proposed changes to the settlement area boundary, the whitebelt lands identified in the September 16, 2021 Report from the Commissioner of Corporate Services and Chief Planner be incorporated into the Regional Official Plan; and
- A Phased 50-55% Intensification Scenario and additional direction on where and how the Region is to accommodate growth to 2051. The increased intensification rate of 55% from 2041 to 2051 resulted in a decrease in the amount of additional lands required to accommodate growth, while maintaining the overall growth forecasts, but resulting in changes to the allocation of growth.

The Region has requested Council endorsed comments on the Draft ROP by March 31, 2022. The provincial conformity deadline for the Region is July 1, 2022, and the Region anticipates bringing forward a revised ROP for Council endorsement in June 2022. The purpose of this Report is to seek Council endorsement of staff's recommended comments on the Draft York Region Official Plan, December 2021, which are outlined in Attachment 1 to this Report.

The Town's Official Plan Review (OPR) is being undertaken iteratively and concurrently with the Region's MCR. The Town's OPR will address the opportunities and challenges of planning and building in the Town and will result in a new Official Plan that implements Provincial and Regional planning policies in a locally appropriate manner. The Town's new Official Plan is required to conform to the ROP, as such, it is imperative that the Region's new Official Plan addresses the land use planning and growth needs and settlement hierarchy within the Town. The Town's new Official Plan will establish a unified community vision and policy directions for managing growth and development to the year 2051. It is anticipated that a draft of the Town's new Official Plan will be available for review and consultation by early to mid 2022, with Council adoption targeted for the summer of 2022, pending the timing of adoption of the ROP.

4. Analysis and Options:

4.1 Key Recommendations

Staff's recommended comments on the Draft York Region Official Plan, December 2021, are outlined in Attachment 1 to this Report, for Council endorsement. The following highlights the key recommendations and comments included in Attachment 1 to this Report and provides further rationale in support of this Report's Recommendations.

Recommendation 2: Request York Region to Engage with the Province to amend the Oak Ridges Moraine Conservation Plan to facilitate the South Gormley Employment Expansion Area and the Bethesda Road Community Expansion Area

The Draft ROP identifies the proposed settlement expansion areas as directed by Regional Council in November 2021. This recommendation serves to emphasize the importance of seeking the Minister's approval for changes to the Oak Ridges Moraine Conservation Plan (ORMCP) to facilitate the proposed expansions. At the time of writing this Report, staff have not had any indication from the Region or the Province as to the status of these requests or subsequent discussions. Furthermore, it is uncertain as to when the Province will provide formal comments on the Draft ROP.

The requested settlement area expansions are consistent with Region and Town Council resolutions, and reflect the most appropriate locations for growth which provide for a contiguous settlement area expansion and will contribute to complete community building and the efficient extension of municipal infrastructure and services. Furthermore, in staff's view, the Region's MCR is the appropriate means to contemplate settlement boundary expansions within the Countryside Area of the ORMCP, as directed by the Province:

The Oak Ridges Moraine Conservation Plan (Implementation - Settlement Area Expansions) specifies that: "An upper-tier or single-tier municipality may consider the need to change or refine the boundaries of Settlement Areas as part of a municipal comprehensive review undertaken in accordance with policy 2.2.8 of the Growth Plan for the Greater Golden Horseshoe. Settlement Area boundaries are not permitted to expand into Natural Core Areas or Natural Linkage Areas."

Recommendation 3: Modify Proposed Settlement Expansion Areas to Exclude Lands within the Provincial Natural Heritage System

Staff recommends that the proposed settlement expansion areas as identified in the Draft ROP should be revised to specifically exclude lands that are located within the Provincial Natural Heritage System, including the lands designated as Natural Linkage Area under the Oak Ridges Moraine Conservation Plan and lands that comprise part of the Natural Heritage System within the Protected Countryside Area of the Greenbelt Plan as shown in Attachment 1 (Figure 1) to this Report. In staff's view, settlement area expansions within the Provincial Natural Heritage System are not permitted in accordance with Provincial Policy, and it was not the Town's intent to include them within the proposed settlement expansion areas.

Staff also recommends, that should the Minister of Municipal Affairs and Housing not comment on the proposed expansions, nor amend Ontario Regulation 140/02, prior to the Region's commenting deadline, that the proposed ORMCP settlement area expansions be carried forward in the ROP presented to Regional Council for adoption, and subsequently forwarded to the Minister for final review and approval.

Recommendation 4: Designate all the remaining whitebelt lands bound by Highway 48, Stouffville Road, McCowan Road, and the Town's municipal boundary, as Urban Area (Community Area)

The Draft ROP did not take into account the Orca Equity Ministers Zoning Order (MZO) (O.Reg. 770/21), which was issued on November 10, 2021, following the Region's release of the draft ROP for consultation. As a housekeeping matter, staff recommends that these Provincially approved lands for urban development be identified as an Urban Area (Community Area) in the ROP. These lands are intended to accommodate in the order of 1,556 units, including a mix of low and medium density residential and mixed use development. Staff calculates that the developable portion of the ORCA Equity lands is in the order of 30.7 ha, which roughly equates to an additional 1,995 persons and jobs per hectare (assuming 65 persons and jobs per hectare). Based on discussions with Regional staff, it is our understanding that these lands will be designated as Urban Area (Community Area) to recognize the MZO.

Furthermore, staff recommends that the settlement expansion area should include all the remaining whitebelt lands within the area bound by Highway 48, Stouffville Road, McCowan Road, and the Town's municipal boundary, as shown on Attachment 1 (Figure 1) to this Report. This includes the Willowgrove lands as well as a few smaller isolated parcels of whitebelt lands. Attachment 2 includes correspondence from Willowgrove outlining their concerns and request to reinstate the Community Area designation on their lands. This will also allow the Town to comprehensively plan for this New Community Area and is consistent with the ongoing Highway 48 Land Use Study which will result in a concept plan for this entire block and provide the basis for more detailed studies with respect to the provision and coordination of infrastructure, transportation, and community services. Staff calculates the additional remaining whitebelt land area, on the east side of McCowan Road (excluding the ORCA Equity MZO), to be in the order of 33.5ha, which roughly equates to an additional 2,180 persons and jobs per hectare (assuming 65 persons and jobs per hectare).

Staff are in support of the Draft ROP, which identifies the whitebelt lands on the west side of McCowan Road as Future Urban Area, and will be considered for development beyond the 2051 planning horizon, and recommend that they be considered for inclusion in the Urban Area through the Region's next MCR.

Recommendation 5: Update the Table 1 Growth Forecasts

The Town's draft population and employment forecasts of 88,100 persons and 34,600 jobs to 2051 currently allocated by the Region have been revised from the previous forecasts (92,900 persons and 31,900 jobs to 2051). These changes were the result of revisions to the proposed settlement expansion areas, as directed by Regional Council on November 25, 2021, and at the Town's request to have the South Gormley Employment Area and the Bethesda Road Community Area lands included as settlement area expansions in lieu of the whitebelt areas.

It is noted that the Region's draft forecasts are more conservative than the Town's interim growth forecasts of 101,400 persons and 39,300 jobs, endorsed by Council on April 20, 2021, through Report DS-12-21, which were to be used on an interim basis for preparing and updating the Town's various Master Plans, and pending final approval of the Region's 2051 forecasts.

In light of the requested settlement area expansion identified in Recommendation 4, it is anticipated that in the order of an additional 4,175 persons and jobs should be added to the Town's growth forecast to 2051. Staff would defer to the Region to identify the appropriate number of additional forecasted persons and jobs, based on their methodology and assumptions for calculating the growth forecasts. Town staff are of the opinion that updated forecasts to include the additional settlement expansion areas as recommended above, would be appropriate. Furthermore, it is anticipated that the Region's Official Plan will be reviewed within the next 7-10 years (prior to 2031) to assess the growth forecasts and allocations and consider whether any additional settlement area expansions into the Future Urban Areas as identified on Map 1B of the Draft ROP are required at that time.

The Town's forecasts are heavily weighted to growth beyond the 2041 planning horizon (i.e., additional 19,200 persons from 2041 to 2051), whereas, it is anticipated that the additional population growth will occur much sooner particularly within the MZO lands and the Bethesda Road Lands, given their proximity to the existing settlement area and infrastructure. Staff recommends that the Region revisit the timing and extent of growth that is anticipated to occur prior to 2041.

Staff also recommends that policy 2.2.2 be revised to explicitly reference that the growth forecasts represent **'minimum'** population and employment forecasts as the basis for planning. This is consistent with the Growth Plan, which states that (S. 5.2.4.2): *All upper- and single-tier municipalities will, at a minimum, through a municipal comprehensive review, apply the forecasts in Schedule 3 or such higher forecasts as are established by the applicable upper-or single-tier municipality through its municipal comprehensive review for planning and managing growth to the horizon of this Plan.*

Recommendation 6: Identify the Community of Stouffville as an Urban Area

Staff recommends that the Community of Stouffville be designated an Urban Area (as opposed to a Town and Village) on Map 1 of the Draft ROP, as it is the primary focus of growth in the Town and provides for more intensive development on full municipal services in addition to accommodating a built-up area, various strategic growth areas and two Major Transit Station Areas (MTSAs). It is uncertain as to why the designation differs from other fully serviced "Settlement Areas" within the ORMCP. Furthermore, the Town of Whitchurch-Stouffville is forecasted to have a greater population than the Town of Aurora by 2051 which is identified as an Urban Area. In staff's view an Urban Area designation would be most appropriate to plan for significant growth over the planning horizon and recognize the community as the primary area to direct growth within the Town.

Furthermore, staff recommends that it is important to differentiate the Community of Stouffville from Ballantrae (which is also designated a Town and Village) in the Region's settlement hierarchy, since Ballantrae does not provide for full municipal services, does not have a delineated built-up area, and is not anticipated to accommodate significant growth within the Town, given the current servicing limitations.

Recommendation 7: Designate the Gormley Secondary Plan Area as predominately an Employment Area on Map 1A

Staff supports the identification of the Gormley Secondary Plan Area and the South Gormley Employment Expansion Area as an Urban Area on Map 1. Consistent with the Employment Area designation for the South Gormley Employment Expansion Area on Map 1A, staff recommends that the Gormley Secondary Plan Area also be designated primarily as a regional Employment Area on Map 1A (as opposed to a Hamlet), recognizing that it will form a contiguous extension of the Highway 404 Corridor Employment Area. The identification of Gormley as an Employment Area will recognize this area as a focus of employment growth, benefited by proximity to the Highway 404 Corridor, and assist in protecting these lands for employment uses.

Furthermore, staff supports the future northerly extension of full municipal services to Gormley from the North Markham Employment Area and through the South Gormley Employment Expansion Area. Not only are full municipal services required to address existing public safety concerns as outlined in Staff Report DS-045-20, but also to support more intensive employment growth in Gormley.

Recommendation 8: Identify Hamlets on Map 1 of the Draft ROP

Hamlets are not identified on Map 1 (Regional Structure) in the Draft ROP as they are in the current York Region Official Plan (Map 1). It is staff's understanding that Hamlets are intended to comprise part of the 'Agricultural System', however, this may raise confusion as they are defined settlement areas but are not mapped as part of the Regional Structure on Map 1, notwithstanding that they are designated on Map 1A.

Staff recommends that the Hamlet areas continue to be identified on Map 1, as they are settlement areas and will continue to be a focus of more limited growth within the Town, and form an integral part of the Region's and Town's settlement area hierarchy. Furthermore, Hamlets should be clearly identified on all Maps where the Towns and Villages and Urban Areas are shown.

Recommendation 9: Identify Strategic Employment Lands

Staff recommends that a new Figure be included in the ROP to identify future Strategic Employment Lands, as shown on Attachment 1 (Figure 1) to this Report, which include the:

- North Gormley Strategic Employment Lands;
- Vandorf Strategic Employment Lands; and
- Davis Drive Strategic Employment Lands.

Figure 2 of the current ROP identifies strategic employment areas which has not been carried forward in the new draft ROP. In staff's view there is a significant opportunity for the Region to identify future Strategic Employment Lands beyond 2051 in the ROP (without designating them) to ensure that these lands are protected and planned for future employment uses.

Staff requests that the Region identify Strategic Employment Lands in the ROP, particularly along the Highway 404 Corridor within the Town of Whitchurch-Stouffville, consistent with York Region Council and Town Councils directions and the Region's Report on Potential For Employment Lands Along 400 Series Highways, October 8, 2020. The identification of Strategic Employment Lands, beyond the planning horizon is supported by the Provincial Policy Statement (PPS) in order to protect lands which are most appropriately located to accommodate employment uses and support the future prosperity of the Province and Region.

Consistent with Regional and Town Council support of the Proposed Provincially Significant Employment Zones (PSEZs) within the Town, Attachment 1 (Figure 2) to this Report identifies the lands that should be identified as Strategic Employment Lands within the Greenbelt Area in the Town. For further context, Attachment 1 (Figure 2) of this Report identifies the Proposed PSEZs which were endorsed by Regional and Town Council, which also includes lands within the Town's existing settlement areas.

In staff's view, there is a significant opportunity to accommodate more intensive employment growth within the existing Community of Vandorf, which is currently designated a Hamlet in the draft ROP, and subject to an appropriate servicing solution in accordance with the approved Secondary Plan.

Staff would be pleased to work with the Region in drafting appropriate policies and mapping. In staff's view, the ROP should provide more strategic direction for accommodating future employment growth and development, particularly for the protection and planning of future employment lands, and also provide policy direction to inform future reviews of the Provincial Plans.

Recommendation 10: Modify Servicing Policies to Permit Use of Private Communal Water and Wastewater Services

The draft Hamlet policies (S. 5.4.3, 5.4.4, 5.4.6) that require servicing by only individual private on-site water and wastewater systems is overly restrictive, and not consistent with recent changes to the PPS, as per S. 1.6.6.3:

“Where municipal sewage services and municipal water services are not available, planned or feasible, private communal sewage services and private communal water services are the preferred form of servicing for multi-unit/lot development to support protection of the environment and minimize potential risks to human health and safety.”

In accordance with the PPS, the use of individual on-site sewage services and individual on-site water services may be considered in instances where municipal sewage services and municipal water services **or private communal sewage services and private communal water services are not available, planned or feasible** (S. 1.6.6.4). The Draft ROP policies are not consistent with the servicing hierarchy established in the PPS.

Greater flexibility should be provided to permit the use of private communal water and wastewater services for **all** types of land uses (i.e., residential, commercial, institutional and employment) for multi-unit/lot development, as the preferred form of servicing, in instances where municipal sewage services and municipal water services are not available, planned or feasible, in accordance with Section 1.6.6.3 of the PPS, to accommodate appropriate servicing solutions within Hamlets.

Furthermore, the private communal water and servicing policies of Section 6.4.8 are too restrictive, and not consistent with the PPS. The draft policy restricts the use of such systems to only employment uses, on an interim basis, and **only where full municipal services are planned**. This policy is overly restrictive and essentially excludes the use of these systems within the Town's Hamlets and Ballantrae (Towns and Village), since at this time, full municipal services are not planned to service these settlements. Furthermore, the Growth Plan prohibits the extension of municipal services from a Great Lakes source to settlement areas that are serviced by rivers, inland lakes, or groundwater (S. 3.2.6.3).

Greater flexibility, consistent with the PPS, should be provided to consider communal services for **all** forms of multi-unit/lot development, and should not only permit them on an interim basis subject to full municipal services being planned. The use of private communal water and sewage services may result in greater benefits to the environment and the protection of health and safety, than individual systems.

Recommendation 11: Recognize Future Growth and Development in Ballantrae Pending Approval of OPA 136

Staff recommends that a new notwithstanding policy with respect to future growth and development within the Community of Ballantrae may be warranted pending the timing of the resolution of Official Plan Amendment 136 by the Ontario Land Tribunal, and the most appropriate water and wastewater solution to accommodate growth within the existing settlement area. In staff's view, the communal servicing policies as outlined in Recommendation 10 are overly restrictive, and if not revised in the Draft ROP, could limit the use of communal water and wastewater servicing systems.

Recommendation 12: Support the Orderly Phasing and Timing of Growth

While staff supports the orderly phasing and timing of growth in relation to the provision of infrastructure, staff is concerned that certain policies, such as 4.6.3 may unduly restrict the timing of growth in certain secondary plan or strategic growth areas in other municipalities which could negatively impact their ability to achieve the growth forecasts

and address local municipal infrastructure needs to accommodate planned growth. Priority should be given to servicing strategic growth areas and intensification areas, including lands identified for urban development through a Minister's Zoning Order. Staff recommends that the Region consider alternative means of funding the development of new infrastructure which should consider the use of front-ending agreements with landowners to expedite the provision of housing supply within the Region.

4.2 Next Steps

The Region has requested local municipal Council endorsed comments on the Draft ROP by March 31, 2022. The provincial conformity deadline for the Region is July 1, 2022, and the Region anticipates bringing forward a revised ROP for Council endorsement in June 2022. The Statutory Open House and Public Meeting to present the revised ROP is targeted for May 2022. It is anticipated that staff will report back to Council in May on the proposed changes to the ROP and how the Town's comments have been addressed.

The Town's OPR is being undertaken iteratively and concurrently with the Region's MCR. The Town's new Official Plan is required to conform to the ROP, as such, it is imperative that the Region's new Official Plan addresses the land use planning and growth needs and settlement hierarchy within the Town. It is anticipated that a draft of the Town's new Official Plan will be available for review and consultation by early to mid 2022, with Council adoption targeted for the summer of 2022, pending the timing of adoption of the ROP.

Town staff will continue to provide regular updates and briefings to Council and seek further direction at key milestones throughout the OPR, including the release of major deliverables and community and stakeholder consultation activities.

5. Financial Implications:

None

6. Alignment with Strategic Plan:

1. Expanding the tax base through a growing, diversified economy
Building and maintaining a tax base that supports the highest quality program and service delivery.
 - Focus on servicing and development of Provincially Significant Employment Zones
 - Identify expansion areas for Industrial / Commercial growth

4. Asset Planning, Maintenance and Development
Successful stewardship of the infrastructure and facilities required to support a growing community and vibrant economy.
 - Address / plan for maintenance of existing assets & infrastructure; Create new infrastructure

7. Attachments:

Attachment 1 – Town of Whitchurch-Stouffville Comments on Draft York Region Official Plan, December 2021

Attachment 2 – Willowgrove Correspondence, February 2, 2022

8. Related Reports:

DS-033-19: Official Plan Review – Introductory Report, June 18, 2019

DS-001-20: York Region Municipal Comprehensive Review Update and Major Transit Station Area Delineation, January 21, 2020

DS-017-20: Official Plan Review Update, May 5, 2020

DS-038-20: Official Plan Review Update, August 25, 2020

DS-045-20: Request for Emergency Extension of Full Municipal Services to Gormley, October 20, 2020

DS-049-20: Official Plan Review: Draft Visioning Consultation Report, November 3, 2020

DS-011-21: Official Plan Review Update: Phase 2 Consultations, April 6, 2021

DS-012-21: Draft 2051 Growth Forecast and Land Needs Assessment, April 20, 2021

DS-010-21: Gormley Industrial Area and Potential Gormley Urban Expansion Area, April 6, 2021

DS-031-21: Comments on Region’s Proposed 2051 Growth Forecast and Land Needs Assessment, July 20, 2021

DS-046-21: Official Plan Review Update: Draft Policy Directions Report and Commercial Policy Study, November 16, 2021

Authors: Randall Roth, Senior Policy Planner
Meaghan Craven, Manager Policy Planning

For further information on this report, please contact the Director of Development Services: Dwayne Tapp, at 905-640-1900 or 1-855-642-8697 ext. 2431 or via email at dwayne.tapp@townofws.ca