

Hon. Steve Clark
Minister of Municipal Affairs and Housing
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Dear Minister Clark,

Do Not Approve York Region Official Plan

We are writing to you today to recommend you do not approve the York Region Official Plan, submitted in early July 2022. Our reasons are explained below, but first we wanted to introduce the two groups that penned this letter.

About Us - The Rescue Lake Simcoe Coalition (RLSC) was formed in 2003 to provide a citizens' voice for Lake Simcoe and to get better policy protections for its water and natural heritage. As a result of our efforts with Environmental Defence and Ontario Nature, and then MPP Garfield Dunlop's private members bill, we got the province to pass the *Lake Simcoe Protection Act* in 2008 to the enormous relief of citizens and cottagers who were watching the lake's health deteriorate in front of their eyes. It feels like we are back where we started now, with growth plans that will result in doubling the watershed's population by 2041. This growth will undoubtedly harm the lake's health and make it either impossible or astronomically expensive to maintain the water quality for 12,000 cottagers and about 400,000 watershed residents (virtually all in PC ridings by the way.)

In March of this year the RLSC branded an exercise and campaign we had been working on for two years already – the Municipal Comprehensive Reviews in York, Simcoe and Durham – by creating Stop Sprawl York Region. Since March, we have built up grassroots support for responsible planning around the Stop Sprawl York Region brand from dozens of York Region ratepayer groups etc. We are organizing with new and worried people because people are increasingly concerned about their quality of life, the costs of sprawl development, legal liability, protection of our source water, natural and cultural heritage, and damage to our ecosystems and communities from the development that the provincial government has directed to York Region. We are speaking to you about genuine community concerns. As Minister, we hope you will address them.

Comments on York Region's Draft Official Plan

York Region's Official Plan (OP) was supported by only 2/3 of Council. Mayors who have always voted FOR the Regional OP did not, for the first time, because there were so many problems with the OP. **Four of York Region's nine mayors voted against the OP.**¹ Are you really going to approve an OP that will consume in the neighbourhood of 8000 acres of farmland that was not unanimously supported by the Regional Council? Those who voted against the OP gave reasons of housing affordability, climate impacts, downgrading of Greenbelt and Oak Ridges Moraine protection, source water, environment, and general principles of good planning (complete communities, car dependency, lack of adequate infrastructure planning and costs that will be born by the Region and ultimately property taxpayers.) Those who supported the OP said nothing to defend it other than the need to compromise and meet the provincial conformity deadline.

The June 30th, 2022 Regional Council meeting itself was a gong show. It is unclear whether Council even followed its own procedural and closed meeting bylaws. At one point a vote was recast and the outcome changed after a closed meeting. RC Jackson (Vaughan) introduced numerous amendments which had not gone through the normal staff review and lower tier endorsement and / or had not been supported by staff. Mayor Quirk (Georgina) described the meeting as "pulling apart cotton candy... I've never seen anything like this." It took days for anyone to understand what had happened. We called it an example of terrible governance that should be used in a civics class.

Many watching the June 30th meeting did not believe that governance could get worse after the October 2021 meeting on forecasted land needs. Numerous deputations and informed, passionate, communications were submitted, pleading with Councillors to support responsible land use planning, affordable housing and to act on Climate Change. Not only were these pleas ignored, Council brought forward motions seeking more whitebelt land to be brought into the urban boundary and to develop on the protected countryside of the ORM/GB in the absence of staff support and any kind of financial analysis.

Are you rewarding this behaviour with an approval of the OP? We sincerely hope not.

Reasons that MMAH should not approve the York Region Official Plan:

1. Precedent-setting development on the protected **Greenbelt (prime agriculture) and Oak Ridges Moraine (protected country-side)** . If you approve this OP you will be flooded with requests to permit development on or to change the GB/ORM boundary. When the province reviewed the legislation in 2016-17 there were at least 600 requests for boundary changes.² Just don't do it. We fear there won't be much left to protect on

¹ June 30 minutes of York Region Council at which the ROP was endorsed by Council.
<https://yorkpublishing.escribemeetings.com/Meeting.aspx?Id=0f70fdc2-b4df-4a33-8b40-5616080f3837&Agenda=PostMinutes&lang=English>

² Ballingall, Alex. Sept 16, 2016. *Province considering 600 requests to remove Greenbelt land.* Toronto Star.

Greenbelt/ORM at a time when global circumstances and climate change make the importance of food security and source water protection more important than ever before. We also fear for protection of our source and stormwater, not only for York Region, but also for all those who live downstream.

2. It's illegal. We are shocked that the majority of Council went against professional planners and senior staff advice, and approved an OP that is **not in provincial conformity** because it asserts that development will occur in at least four places that are currently protected by the GB or ORM legislation.³ This move also ignores the professional standards of the professionals who are paid by the taxpayer to uphold good planning principles and the law.⁴
3. The OP does not address the **biggest crisis in Ontario at the moment: affordable housing**. We already know that York Region's ability to reach its past, less ambitious population target is hampered by its lack of rental and affordable housing. If you are serious about sustainable local business development and "complete communities" this is simply not a plan that will serve those ends. This is because there is too much expensive sprawl at a **50% intensification rate**, climbing to just 55% after 2031. York Region was achieving a 54% intensification rate from 2016 to 2019⁵. Please see the table on pg. 7 that shows the intensification rates proposed.⁶
4. In new communities, York Region has set an abysmally low **designated greenfield target** (DGA) of 50 residents and jobs per hectare (RJ/H). The Region plans to achieve 52 RJ/H

<https://www.thestar.com/news/gta/2016/09/26/province-considering-600-requests-to-remove-greenbelt-land.html>

³ As confirmed by York Region's Chief Planner Paul Bottomley by email to letter co-writer Irene Zeppieri and is to be submitted accompanying York Region's endorsed 2051 ROP, the following are considered to not be in provincial conformity:

"Consistent with advice provided to York Region Council throughout the MCR process, my statement as submitted to the Province indicates the adopted 2022 York Region Official Plan conforms to and does not conflict with the applicable Provincial Plans, save and except for the following:

- City of Vaughan Rizmi Holdings Limited Urban Expansion
- Town of Whitchurch-Stouffville Urban Expansion (Bethesda Community Area Lands, South Gormley Employment Lands)
- Town of Whitchurch-Stouffville Future Strategic Employment Lands Overlay
- City of Richmond Hill Gormley GO MTSA
- Regional Official Plan Amendment 7"

⁴ Attachment 7: Proposed Regional Official Plan Conformity With Provincial Plans (Note Several Motions were passed at the June 30 Meeting that may not be included or referenced):

<https://yorkpublishing.escribemeetings.com/filestream.ashx?DocumentId=36438>

⁵ Watson and Associates. March 2021. Foundational Housing Analysis: York Region, Final Report. pg ix.

⁶ Intensification Rates: Table 6, from June 30, 2022 COW meeting agenda: (Table appears on final page of this letter) <https://yorkpublishing.escribemeetings.com/filestream.ashx?DocumentId=35881>

which is lower than its 2010 Official Plan's DGA of 70 RJ/H. This rate is calculated differently in the current Growth Plan than it was in the last iteration; taking that into account, the current target is lower than what has been achieved in recent years.⁷

5. **Employment Land / Provincially Significant Employment Zones.** In October 2020 Council reviewed numerous employment conversion requests. In Vaughan and Richmond Hill several requests were supported that are near PSEZ. These were against the recommendations of staff because they have the potential to undermine the viability of employment areas and create sensitive receptors and land use conflicts⁸.
6. The impact to Lake Simcoe of all the growth-related sewage and stormwater has not been publicly evaluated. This concerns us greatly and must be addressed. It is not enough to create the problem and say you will fix it. For context, 31% of the phosphorus loads to Lake Simcoe come from stormwater runoff. Ontario is trying to cut phosphorus loads in half at least by 2041 according to the Lake Simcoe Protection Plan. The province's promised \$26 million contribution to a phosphorus reclamation facility on the Holland River is likely to remove 2.5 tonnes of phosphorus per year of **the 50 tonnes per year in excess of the provincial phosphorus target**. We are well beyond sustainable phosphorus loads already. To be consistent with the LSPP's precautionary principle you must not approve the Upper York Sewage System which will add phosphorus to Lake Simcoe and is proposed to be offset by unproven remediation activities.
7. **This OP is far too heavy on infrastructure costs.** This presents significant financial risks to York Region if investment in infrastructure is made and projected growth is not realized, forcing York Region to carry a higher debt burden than planned. In addition, due to the reactive manner that resulted in significant urban boundary expansions that differ from staff recommendations, it is quite plausible that infrastructure costs will be higher than anticipated. This has the potential to jeopardize York Region's AAA Credit Rating as happened in the past. Planned infrastructure services/upgrades for existing communities could experience funding shortfalls and impede York Region's ability to service existing communities and services. In order to fund the capital, operating and asset management with the projected level of growth-related infrastructure York Region residents can expect a 0.6% annual tax increase.⁹ In addition, York Region is heavily

⁷ Designated Greenfield Area: Staff Report entitled: [Planning for Density in New Communities](https://yorkpublishing.escribemeetings.com/Meeting.aspx?Id=c9ca8d5d-2c65-42d9-9dfa-0b937477e050&Agenda=Merged&lang=English&Item=47&Tab=attachments)
<https://yorkpublishing.escribemeetings.com/Meeting.aspx?Id=c9ca8d5d-2c65-42d9-9dfa-0b937477e050&Agenda=Merged&lang=English&Item=47&Tab=attachments>

And Table 9B: <https://yorkpublishing.escribemeetings.com/filestream.ashx?DocumentId=35881>

⁸ All endorsed employment conversions in Recommendation 2 were supported against Staff recommendations. <https://yorkpublishing.escribemeetings.com/Meeting.aspx?Id=a73f3102-3d5b-4191-8d9a-ed1b20fdf955&Agenda=PostMinutes&lang=English&Item=17&Tab=attachments>

⁹ Regional Official Plan Fiscal Impact Analysis, June, 2022. See:
<https://yorkpublishing.escribemeetings.com/filestream.ashx?DocumentId=36439>

Key Points:

- \$20B of growth related infrastructure over the next 30 years, 63% will come from development fees, 12% by tax levy and 25% from other levels of government.

- 40% of expenditures will have to occur in the first 10 years (by early 2030s), yet less than 30% of the growth is projected to happen during this time period

dependent on Great Lakes Servicing provided by the Regions of Peel and Durham. There is uncertainty if the combined development proposed for all Regions combined can be adequately serviced and there appears to have been little to no discussion on servicing limitations. The lack of servicing is forcing atypical servicing solutions in York Region for already approved growth. Getting approval seems based on the landowner's ability to finance and pay for development rather than criteria that demonstrate why the infrastructure should be advanced and prioritized above all other development applications¹⁰.

8. Particularly risky and premature is the growth and urban boundary expansions endorsed in East Gwillimbury which require approval of the existing Environmental Assessment for the UYSS currently on hold and submitted to the province 7 years ago. At a cost of **\$1 billion in new sewage infrastructure in East Gwillimbury for the Upper York Sewage Solution**, it is worth your while to seriously consider the downsides of this plan environmentally and financially.
9. East Gwillimbury has publicly consulted and endorsed their OP¹¹ and Whitchurch-Stouffville¹² has released the first version of their OP for consultation ahead of the Region, calling into question 'who is wagging the dog'? **How can the lower tier publicly consult on land use decisions that are still subject to approval by the Minister of MMAH for York Region?** This backwards process creates red tape and confusion in the public. In both cases, developer-led planning won the day, ultimately persuading the majority of Regional Council to support plans hatched with no regard for the region or sustainability. East Gwillimbury is planning for a 2% intensification rate. This process is completely inappropriate for 2022, and certainly undermines the provincial process of Official Plan conformity since they created their OPs before the Region did.
10. There are many complicating factors that are not well planned at all, like the **Transit Oriented Communities (TOCs)** at Yonge / 407. Local residents are concerned about the lack of coordination and provincial disinterest in resolving the traffic and congestion problems created by MZOs and EMZOs. Note that the Region is planning for these but

¹⁰ Prepaid Development Charge Credit Agreement with the Block 27 Developer Group in the City of Vaughan <https://yorkpublishing.escribemeetings.com/Meeting.aspx?Id=c9ca8d5d-2c65-42d9-9dfa-0b937477e050&Agenda=PostMinutes&lang=English&Item=65&Tab=attachments>

The Mount Forest Upgrades was not approved through the Development Charges By-Law or under the Planning Act, it is a funding agreement that York Region entered directly with the Mount Forest Albert Group Landowners to pay to upgrade the plant. There was no procurement and staff indicated it is permitted as per broad powers contained in the Municipal Act. See Staff Report entitled: Mount Albert Water and Waster Water Systems Upgrade and Development Agreement

<https://yorkpublishing.escribemeetings.com/Meeting.aspx?Id=efcfe61b-620e-4c8d-be49-3b3b02489b4a&Agenda=PostMinutes&lang=English&Item=36&Tab=attachments>

¹¹ Town of East Gwillimbury Official Plan, June, 2022 Endorsed and submitted for approval to York Region June 21, 2022 <https://eastgwillimbury.civicweb.net/document/162577/Appendix%201%20-%20Updated%20Official%20Plan%20and%20Schedules.pdf?handle=1894E5B95D4348BFA15BEB1E25409593> and <https://eastgwillimbury.civicweb.net/Portal/MeetingInformation.aspx?Org=Cal&Id=1458>

¹² Town of Whitchurch-Stouffville released the first version of it's Official Plan for Public Consultation at the end of June prior to York Region Council endorsing the upper-tier Official Plan see: <https://www.cometogetherws.ca/opr>

did not include the total anticipated population in the planning period because it doesn't expect the TOCs to be achieved during the planning period to 2051, despite provincial statements to the contrary¹³.

We recognize the significant challenges the province faces, that 1.5M households must be built during the planning period and that there is a housing crisis. However, we contend that the Official Plan fails to address this in any meaningful way for the reasons stated above and York Region will continue to fall short of meeting housing goals and will fail to provide enough housing, let alone affordable housing and the "missing middle", where it is most needed in our existing urbanized areas.

In conclusion, the submitted OP has significant financial, legal, planning and environmental risks that were well articulated by staff and ignored by politicians. This approach does not put people first; it's up to you to uphold good planning and financial management principles for the people of York Region and Ontario and not approve the submitted OP¹⁴.

Please contact us with any questions or comments you have.

Sincerely,

Claire Malcolmson



Executive Director

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And Irene Zeppieri

Vaughan Resident and Stop Sprawl York Region member

Supported by:

Peter Miasek, Transport Action Ontario

Graham Churchill, Director, Federation of Urban Neighbourhoods



¹³ Refer to Video in response to a question from Regional Councillor Jack Heath to York Region's Chief Planner after Irene Ford's deputations during the February 2, 2022 Regional Special Council Meeting: <https://yorkpublishing.escribemeetings.com/Meeting.aspx?Id=11a3df93-8f0a-40ac-99fb-3135e42fe6d9&Agenda=PostMinutes&lang=English&Item=143&Tab=attachments>

¹⁴ Memo entitled Planning for Growth to 2051 Consideration of Motions to York Region Council from York Region Commissioners Corporate Services, Environmental Services, Finance and Regional Treasurer, Transportation Services and Chief Planner dated October 13, 2021. See: <https://yorkpublishing.escribemeetings.com/Meeting.aspx?Id=f643d823-720a-41d6-a4bf-a957fa7aa724&Agenda=PostMinutes&lang=English&Item=11&Tab=attachments>

Table 6 – York Region Residential Intensification Targets by Local Municipality 2016 - 2051

Municipality	Units	Intensification Rate
Aurora	4,600	45%
East Gwillimbury	700	2%
Georgina	2,700	32%
King	4,700	52%
Markham	52,400	55%
Newmarket	11,400	89%
Richmond Hill	34,500	78%
Vaughan	51,300	57%
Whitchurch-Stouffville	4,200	25%
York	166,500	52%