

September 6<sup>th</sup>, 2016

**Mayor Maurizio Bevilacqua and Members of Council**  
Vaughan City Hall  
2141 Major Mackenzie Drive  
Vaughan, ON  
L6A 1T1

MGP File: 14-2314

C26	
Communication	
CW:	Sept 7/16
Item:	19

Via email to City Clerks [Clerks@vaughan.ca](mailto:Clerks@vaughan.ca)

**Dear Mayor Bevilacqua and Members of Council,**

**RE: Development Services Committee – September 6<sup>th</sup>, 2016**

***Agenda Item #19: Co-ordinated Land Use Planning Review: Response to Proposed Changes  
The Growth Plan, Greenbelt Plan and Oak Ridges Moraine Conservation Plan, (File #16.30)  
Block 55 West (11191 Hwy 27 and 11363 Hwy 27), City of Vaughan***

Malone Given Parsons Ltd. is the land use planning consultant for properties located within Block 55 West (11191 Hwy 27 and 11363 Hwy 27). Notwithstanding that portions of these lands are within the "Protected Countryside" designation of the Greenbelt Plan, the provisions of the Greenbelt Plan do not apply to these lands as they were within an identified Settlement Area and were identified for "Future Residential" and other urban uses within OPA 601. As OPA 601 predates the Greenbelt Plan by four years, and based on the provisions of the Greenbelt Plan, the policies of the Greenbelt Plan were never intended to apply to lands that were in existing Settlement Areas at the time of adoption. This interpretation was confirmed by the Province in a series of letters between Mr. Victor Doyle (MMAH) and Mr. John Zipay (City of Vaughan) in 2005 and 2006.

Based on this, we ask the City to support a boundary adjustment to the Greenbelt which implements the policies respecting the limits of development in OPA 601. This should occur in a similar fashion to the lands on the west side of Highway 27, which had the limits of development established through the policy of OPA 601, despite portions of the lands being within the "Protected Countryside" designation of the Greenbelt Plan.

In addition to this request, my clients have the following comments on the Co-Ordinated Land Use Review and how they may impact the future development potential of their lands.

**Greenbelt Boundary & Site Specific Technical Adjustments:**

We support the staff recommendation h. "that technical mapping corrections, including those related to site specific requests, be made prior to finalizing the plan amendments and schedules." Further, we request that the City of Vaughan obtain clarity from the Ministry of Municipal Affairs (MMA) regarding the Greenbelt Plan boundary refinement process.

We are very concerned with the status of the Ministry's review of site specific requests for modifications to the Greenbelt boundary. We understand from the MMA website page entitled "**Response to Site Specific Requests**" that the Ministry is *"...obtaining detailed technical information from municipalities, conservation authorities and landowners to determine if further refinements are required to achieve the natural heritage protection objectives of the Greenbelt. This will also help [MMA] determine impacts on specific properties. If any minor changes are considered necessary, the province will consult again."*

Currently it is very unclear if there is in fact a formal process to review the Greenbelt boundaries and if so, what that process is. As this is the 10-year review of the Greenbelt Plan, there must be an open and transparent process put in place to review boundaries and make refinements to reflect prior inaccuracies or lack of detailed environmental analysis and ground truthing.

There are significant lands located within the Greenbelt Boundary, some of which do not comprise natural heritage features and warrant removal from the Greenbelt Plan. There must be a process to permit such refinements and correct past errors.

Our clients have requested to meet with MMA staff to provide the detailed technical information supporting their site specific requests, as per the direction on the provincial website. However, staff at the Ministry has responded that: *"At this point we are not making any appointments to meet with developers or land owners about the boundary."*

The Ministry has not provided any further details about the process, nor has there been any timeframe indicated as to when the above-referenced *"detailed technical information will be obtained from municipalities, conservation authorities and landowners to determine if further refinements are required."*

As such, we are requesting that the City include in its recommendations to the Province the following:

- **Clarification on what open and transparent process is being established to review Greenbelt boundaries;**
- **Clarification on the criteria for boundary refinements;**
- **Outline a clear timeframe as to when this process will be established and open for submissions; and, further;**
- **Permit the precise limit of the Greenbelt boundary in the City of Vaughan's New Community Areas to be established through the Secondary Plans that will be completed for these areas.**

We suggest that the City advise the Province that an appropriate process for the Block 55 Lands is to rely on and implement the findings of the scientific studies completed through the City's Secondary Plan process. These studies determine environmental feature boundaries, buffers, and the resulting development limits and incorporate full participation by agencies including the City of Vaughan, the Regional Municipality of York, the Toronto and Region Conservation Authority, the Ministry of Natural Resources and Forestry, etc.

We request that the City ask the Ministry to permit the Greenbelt boundary in the Block 55 to be refined through and consistent with the Secondary Plan studies. This can be done by either:

- a Greenbelt Plan policy permitting the Greenbelt boundary to be refined on approval of the Secondary Plans, or
- a Greenbelt Plan policy permitting development between the Greenbelt boundary and the development limit established through approval of the Secondary Plans.

The attached graphic illustrates an area highlighted in yellow, being the approximate area between the environmental feature boundaries (before any feature buffers), and demonstrates the inconsistent variability of the Greenbelt boundary line in the Greenbelt Plan.

#### **Recreational Uses in the Greenbelt:**

The proposed Greenbelt Plan recognizes that a system of parklands, open spaces and trails across the Greenbelt is necessary to provide opportunities for recreation, tourism and appreciation of cultural heritage and natural heritage. It also states that they serve as an important component of Complete Communities and provide important benefits to support environmental protection, improved air quality and climate change mitigation.

Given that there are significant Greenbelt lands in Block 55 that will be surrounded by urban uses and that do not have any environmental features, we are requesting that the City include in its recommendations to the Province the following:

- **That additional recreational and parkland uses be permitted within the Greenbelt Plan area as parkland dedication for the development of lands outside of the Greenbelt.**

As noted within the Greenbelt Plan, recreational and parkland uses are necessary to support complete communities and can complement natural areas by enlarging their footprints and by offering public access and visual windows into otherwise private Greenbelt Plan areas.

#### **Proposed Growth Plan – Density & Intensification:**

The proposed density of 80 people and jobs per ha is not practical for Block 55, because transit opportunities will be very limited to support a unit mix of townhouses, stacked townhouses and apartments that will be required to achieve the 80 people and jobs per ha.

We do not believe Block 55 can achieve the 80 people and jobs per ha and we believe that greater flexibility is needed, as it is unrealistic to expect that level of density for a Greenfield location on the edge of the City where transit will be limited. We are requesting that the City include in its recommendation 1.c to the Province the following:

- **That the City explicitly and strongly indicate to the Ministry that it does not support the proposed Growth Plan's new target densities of 80 people and job per ha for Designated Greenfield Areas and the proposed Growth Plan's 60% intensification target.**

Further, we support the City's transition recommendation 1.d, in that if there are new densities in the new Growth Plan, it is fair and appropriate that all lands that are currently within "urban" and "future urban" designations be transitioned to permit development to occur in a manner that is consistent with current policies of the Growth Plan.

TO: Mayor Bevilacqua and Members of Council  
RE: Agenda Item #19: *Co-ordinated Land Use Planning Review*

September 6<sup>th</sup>, 2016

Lastly, we have attached a memorandum previously submitted to both the Region of York and City of Vaughan regarding the Block 55 Lands, outlining in greater detail our comments as it relates to Recommendation 73 of the Advisory Panel Report on the *Co-ordinated Review of the Provincial Growth Plan, Oak Ridges Moraine Conservation Plan, Greenbelt Plan and Niagara Escarpment Plan*.

If you would like to discuss any aspect of this letter or if you have any further questions regarding this submission, please contact me at 905.513.0170 ext. 109.

Yours very truly,

**MALONE GIVEN PARSONS LTD.**



Don Given, MCIP, RPP

President

[dgiven@mgp.ca](mailto:dgiven@mgp.ca)

cc.

Daniel Kostopoulos, City Manager, City of Vaughan  
John Mackenzie, Deputy City Manager, Planning and Growth Management, City of Vaughan  
Roy McQuillin, Acting Director of Policy Planning, City of Vaughan  
Valerie Shuttleworth, Director of Long Range Planning, Regional Municipality of York  
Block 55 Landowners Group

att/1

## MEMORANDUM

**TO:** Region of York and the City of Vaughan

**FROM:** Malone Given Parsons Ltd.

**DATE:** March 1<sup>st</sup>, 2016

**MGP FILE:** 13-2206

**SUBJECT:** Recommendation 73 – Recommendations of the Advisory Panel  
Planning for Health, Prosperity and Growth in the Greater Golden Horseshoe:  
2015-2041  
Copper Creek Golf Club and Kirby 27 Developments Limited, Kleinburg, City of  
Vaughan  
11191, 11063 and 11363 Highway 27, Kleinburg, City of Vaughan

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On December 7<sup>th</sup>, 2015 the Advisory Panel on the Coordinated Review of the Growth Plan, the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan, and the Niagara Escarpment Plan released its recommendation report entitled **“Planning for Health, Prosperity and Growth in the Greater Golden Horseshoe: 2015-2041”** providing a wide-ranging set of 87 Recommendations intended to inform this coordinated review.

“Recommendation 73” of the report deals specifically with boundary concerns within the existing Plans including the Greenbelt Plan. According to the recommendation, boundary concerns should be addressed through policy changes by working with upper and single-tier municipalities as they undergo official plan conformity, and by Provincial approval authority for official plan conformity amendments, related to each of the criteria below.

### Copper Creek Golf Club and Kirby Property, City of Vaughan:

Making use of lands efficiently is consistent with the policies of the various Provincial Plans, as well as regional and local official plans and policy documents relating to complete communities.

As such, we propose the removal of up to approximately 9.0 hectares (20 acres) of land from the Greenbelt. We refer to lands associated with the Copper Creek Golf Club and the property to the north, municipally known as 11363 Highway 27 and herein referred to as the Kirby Property.

It was our preliminary opinion that the lands identified in yellow, totalling 4.3 hectares (10.6 acres) on Attachment 1 should be removed from the Greenbelt Plan area. Since then, based on the Toronto Region Conservation Authority staking of the natural heritage features and the science based studies in progress, it appears that the area should actually be 7.9 ha (19.5 acres) as shown on Attachment 2, further supporting our request for having policy in place to make adjustments to the boundaries.

Most recently, our clients have purchased the Kirby Property to the north of the Copper Creek Golf Club.

Attachment 4 illustrates both the Copper Creek Golf Club and the Kirby Property consolidated.

Based on aerial photography and topographic mapping, it is our estimate that approximately 1.1 ha (2.7 acres) of the Kirby Property should be removed from the Greenbelt Plan area as shown on Attachment 3. A Conservation Authority staking and science based studies will have to take place for the Kirby Property to verify the precise land area to be removed from the Greenbelt Plan area.

Requests for adjustments to the Greenbelt Plan boundary must consider the recommendations of the Advisory Panel as they relate to each of the following policy concerns. The Copper Creek Golf Club and the Kirby Property meet the criteria in "Recommendation 73" as follows:

#### Settlement Area Expansion

- This criterion is not relevant.
- The Copper Creek and Kirby lands, including the portion within the Greenbelt, are located within the City of Vaughan's Urban Area Boundary. No expansion to the existing Urban Boundary is required to permit development on the subject lands.

#### Complete Communities

- The Copper Creek and Kirby lands are planned as a complete community.
- A variety of land uses will be developed on the lands including a range of residential uses (low and medium), commercial/recreational and institutional uses.
- This provides an opportunity to complete the community of Kleinburg and will support transportation planning, complete streets, built form and urban design best practices.

#### Strategic Employment Lands

- This criterion is not relevant.
- This site is not within or near a designated or existing employment area.

#### Infrastructure and Servicing

- Appropriate infrastructure is available or planned to service development on the Copper Creek and Kirby lands within the Urban Boundary.
- Adjustment to the Greenbelt boundary will further support a compact and efficient growth pattern by efficiently using lands within an urbanizing area where servicing and infrastructure is already in place or planned.

#### Agricultural Viability/ Protection of Farmland

- The Copper Creek and Kirby lands are located within the City's Urban Boundary and are suitable for growth and development.
- Adjustments to the Greenbelt Boundary will ensure that lands are used efficiently and avoid the need for unnecessary expansion of the Urban Boundary and will ensure that existing farmland outside the Urban Boundary is protected from development.

#### Natural Heritage Systems

- Based on field staking with the Toronto and Region Conservation Authority completed in June of 2015 on the Copper Creek lands, approximately 7.9 hectares of lands are located within the Greenbelt Plan area and not encumbered by a natural heritage feature.
- Approximately 0.4 ha of the Greenbelt Area within the Copper Creek lands is occupied by the Golf Club Clubhouse.
- Based on aerial photography and topographic mapping, approximately 1.1 hectares of lands on the Kirby Property are located within the Greenbelt Plan area and not encumbered by a natural heritage feature.
- The Kirby Property is an example of a small fragmented agricultural parcel of land surrounded by urban uses, which is too small to be economically viable and serves no environmentally significant purposes.
- These areas are prime examples of land, which are within the urban boundary and are otherwise constrained from development by virtue of their inclusion in the Greenbelt Plan Area.
- Defining the natural features and functions, as they exist on the ground in a natural heritage systems approach, will allow for a more accurate limit of development and a better use of land, rather than the current arbitrary Greenbelt limit, which is not based on science.

#### Water Resources

- The Copper Creek lands contain watercourses and Provincially Significant Wetlands (PSW's).
- Water resources on the Kirby Property have yet to be investigated but will be completed shortly.
- All natural heritage features, including the watercourses and PSW's will be conserved and protected from development.

#### Climate Change

- Development on the Copper Creek and Kirby lands support intensification and will be developed

in a compact and efficient pattern, all of which is supportive of complete communities.

- In addition, the proposed developments will be Energy Star rated which will reduce energy demands and assist in reducing climate change.

#### Enhancing Plan Implementation

- Where individual owners can demonstrate that the inclusion within the Greenbelt Plan Area is inaccurate based on detailed environmental analysis and ground truthing, appropriate latitude to amend the Greenbelt Plan Area boundary should be provided.
- This will ensure that lands within existing settlement areas are used efficiently to support the growth management objectives established by the Growth Plan, as well as all upper and lower tier municipalities and reduce the need for outward expansion.

#### Conclusion

Based on the Advisory Panel's recommendations, it is our opinion that a refinement to the Greenbelt Plan boundary on the Copper Creek lands and Kirby Property is consistent with the recommended directives in the "Planning for Health, Prosperity and Growth in the Greater Golden Horseshoe: 2015-2041" Report.

It is our opinion, based on these policy recommendations, that approximately 9.0 hectares within the Greenbelt Plan Area on the Copper Creek lands and the Kirby Property meet the above policy considerations and as such, should be considered for removal from the Greenbelt Plan Area.



# ATTACHMENT #1

## PROVINCIAL PLANNING REVIEW, 2015-2016

Copper Creek Golf Club  
11063 Highway 27  
11191 Highway 27  
City of Vaughan

### LEGEND

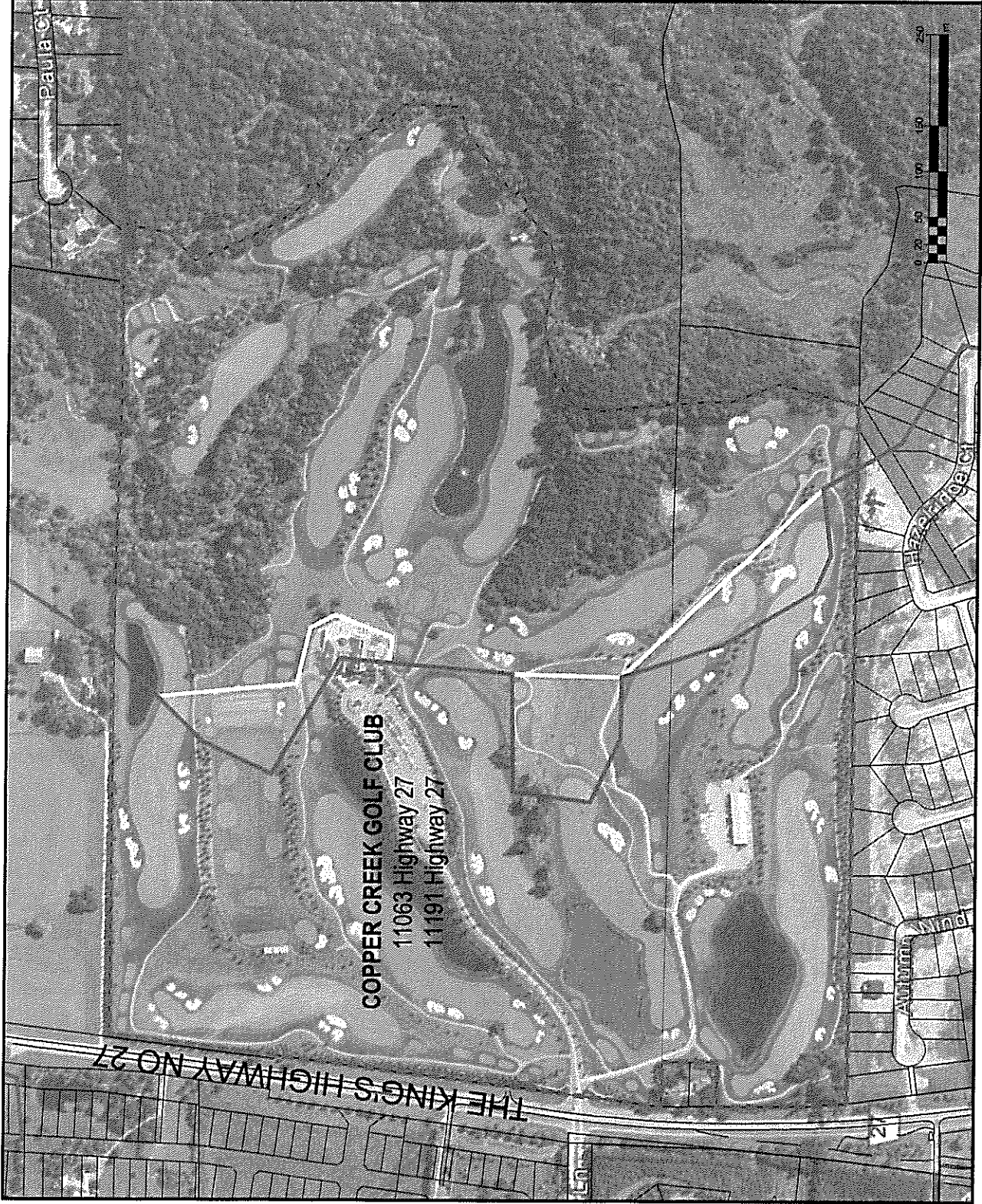
- Subject Lands
- Greenbelt Boundary
- Lands proposed to be removed from the Greenbelt ~ 4.3 ha



Date: February 24, 2016

Prepared by:

MALONE GIVEN PARSONS LTD.



## ATTACHMENT #2

### PROVINCIAL PLANNING REVIEW, 2015-2016

Copper Creek Golf Club  
11063 Highway 27  
11191 Highway 27  
City of Vaughan

#### LEGEND

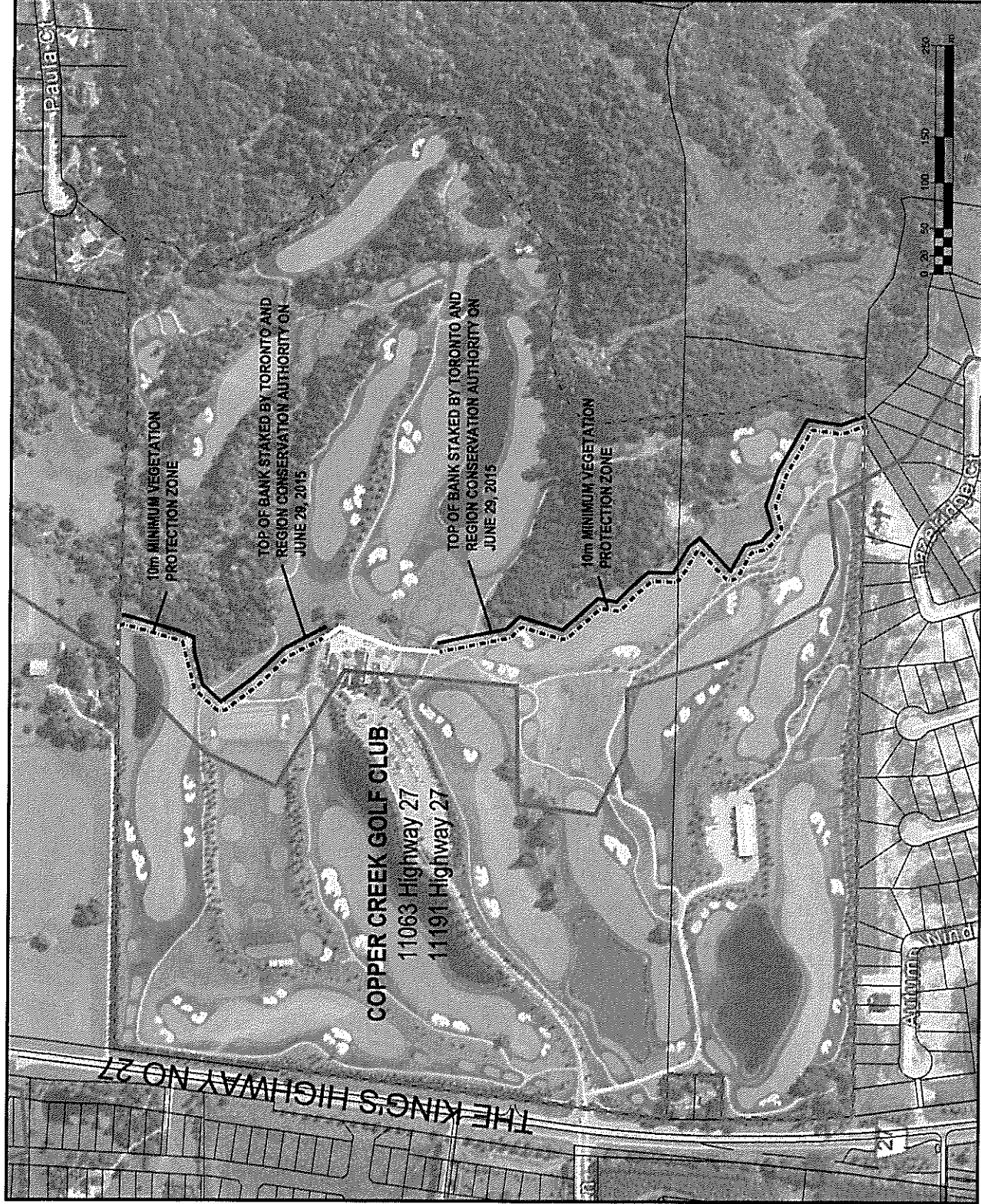
- Subject Lands
- Greenbelt Boundary
- Lands proposed to be removed from the Greenbelt ~ 7.9 ha
- Staked Top of Bank TRCA - June 29, 2015
- 10m Minimum Vegetation Protection Zone



Date: February 24, 2016

Prepared by:

MALONE GIVEN PARSONS LTD.





# ATTACHMENT #3

## PROVINCIAL PLANNING REVIEW, 2015-2016

Kirby 27 Developments Limited  
11363 Highway 27

City of Vaughan

### LEGEND

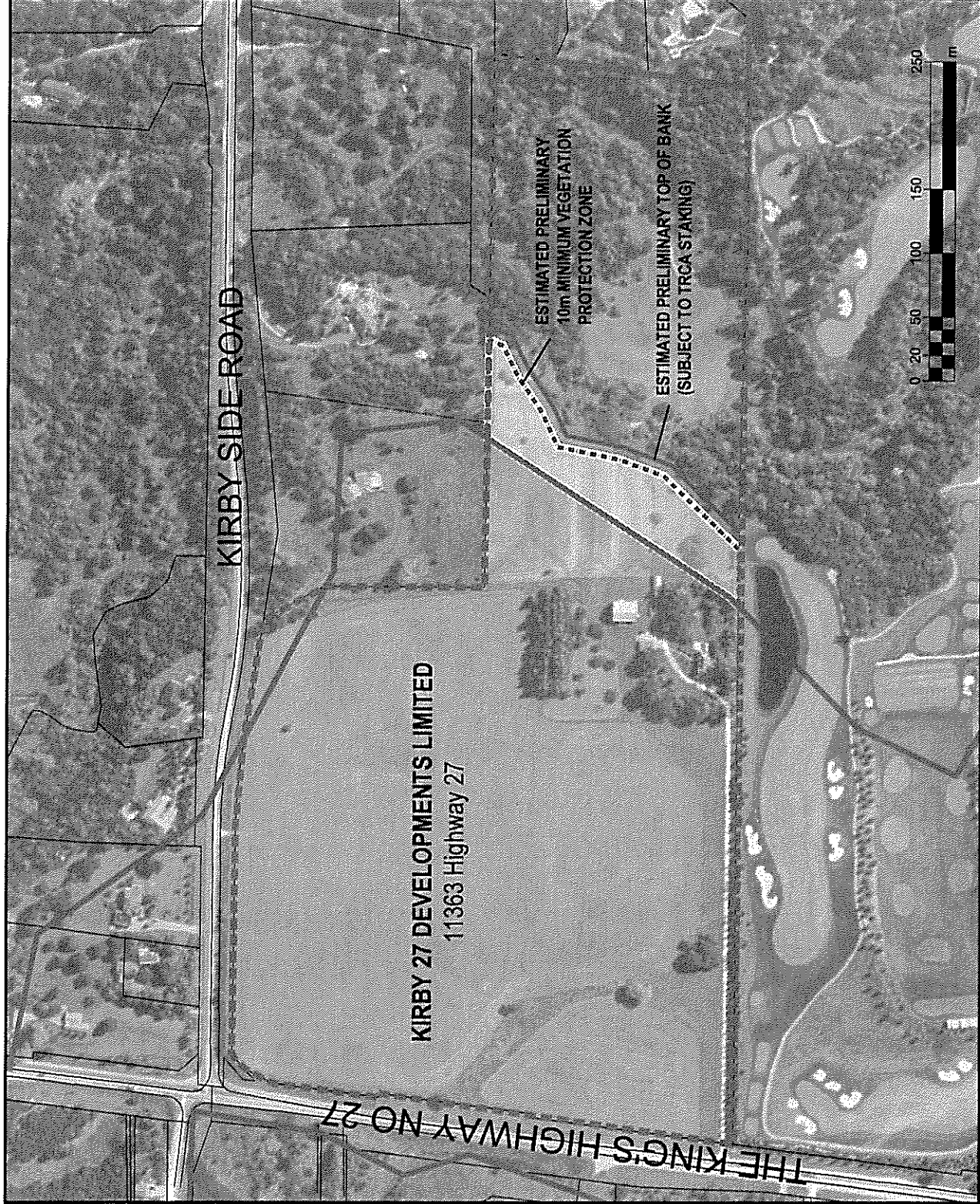
- Subject Lands
- Greenbelt Boundary
- Lands proposed to be removed from the Greenbelt ~ 1.1 ha
- Estimated Preliminary Top of Bank (Subject to TRCA Staking)
- Estimated Preliminary 10m Minimum Vegetation Protection Zone



Date: February 24, 2016

Prepared by:

MALONE GIVEN PARSONS LTD.



# ATTACHMENT #4

## PROVINCIAL PLANNING REVIEW, 2015-2016

Kirby 27 Developments Limited  
11363 Highway 27

Copper Creek Golf Club  
11063 Highway 27

11191 Highway 27  
City of Vaughan

### LEGEND

Subject Lands

Greenbelt Boundary

Lands proposed to be  
removed from the  
Greenbelt ~ 9.0 ha

Staked Top of Bank  
TRCA - June 29, 2015

10m Minimum Vegetation  
Protection Zone

Estimated Preliminary  
Top of Bank  
(Subject to TRCA Staking)

Estimated Preliminary  
10m Minimum Vegetation  
Protection Zone

NOTE: Proposed re-development  
applications for both properties will be  
processed concurrently.

Date: February 24, 2016

Prepared by:

MALONE GIVEN PARSONS LTD.

