

**From:** IRENE FORD  
**Sent:** Tuesday, April 19, 2022 12:00 PM  
**To:** Clerks Richmondhill <[clerks@richmondhill.ca](mailto:clerks@richmondhill.ca)>  
**Subject:** Apr 20, 2022 Meeting Item 3.1

Hello,

Please find attached two letters given as deputations to York Region on the Transit Orientated Communities approved by MZO last Thursday. O. Reg. 345 in the City of Markham and O. Reg. 344/22 in Richmond Hill.

York Region Council, the Province of Ontario, the MTO, Infrastructure Ontario and Metrolinx have repeatedly failed to address legitimate and valid public concerns. They have bulldozed through two unrealistic Enhanced Minister Zoning Orders and given Minister Steve Clark ultimate power to approve a massive development in the absence of planning documents, any set evaluation criteria other than zoning certainty so the landowner/developer can secure financing for the transit station.

The means does not justify the ends, the trampling of citizen's rights to due process, procedural fairness and reasonable decision making. The approach the provincial government has taken to transportation and land use planning is highly concerning to democratic rights in Ontario. York Region's absence or ability to speak up for residents on this issue, other MZO's approved, Highway 413, the Bradford Bypass and the ongoing draft Regional Official Plan 2051 is highly concerning.

I hope that Richmond Hill will consider taking strong actions and express concerns about the provinces current approach to decision making and the implications this has for all of Ontario. Governments have always made decisions I do not agree with but I have never been so easily able to deconstruct them, to identify why they do not serve the public interest, why the decision will not solve the problems as purported and likely result in worse outcomes.

This is about much more than transit and accommodating growth. It is about the future of Ontario government and governance, whether it will be democratic and fair or only serve those with access and influence.

Thank you,

Irene Ford

L4L 3W8

Vaughan, York Region Resident

Stop Sprawl Ontario

Stop Sprawl York Region

Stop Highway 413

Stop Bradford Bypass

<https://www.ontario.ca/laws/regulation/r22345?search=zoning+order>

<https://www.ontario.ca/laws/regulation/r22344?search=zoning+order>

**York Region Council,**

**RE: YNSE Extension Alignment and TOC Special Council Meeting February 3, 2020**

I believe that every member of York Region Council should be advocating and supporting transit and communities surrounding transit. I believe every Council member should be strongly opposing Highway 413, the Bradford Bypass and the sprawl that will erupt around these highways as is already occurring surrounding the highway 427 extension.

I want to be very clear what you are hearing today is not NIMBY, no one today said they don't want a subway, they don't want condos, they don't want their communities to change. What you are hearing today is legitimate and valid concerns about the rapid changes that are occurring in the absence of adequate justification other than the appearance of serving the wants of some very powerful and overly influential landowners.

*It is difficult to have trust in the current provincial government, Regional and Local Councils.*

The public is not being consulted, we are being informed, it is a one-way form of communication in which comments are acknowledged, documented in a report but change nothing. What could we really be consulted upon; the décor of subway stations? It is the same for Highway 413 and the Bradford Bypass. Too often with the current provincial government as more information becomes available, as the layers are revealed conflicts, real or the appearance of conflicts, start to mount.

The Auditor General conducted an audit of Metrolinx Go Station Selection in 2018<sup>1</sup>, in February, 2021 the Standing Committee on Public Accounts held a public hearing. In November 2021 the Auditor General released an update report documenting the 15 recommendations made by at the Public Hearing and progress that has been made<sup>2</sup>. It is unclear to me if the YNSE stations and surrounding Transit Orientated Communities have been brought forward in a manner that is consistent with the recommendations of this report, especially as they have been changing in such a fluid rapid manner. I have sent an email to the Auditor General inquiring about this and am awaiting a response. The province has aggressively changed Metrolinx's legislation to give them greater authority to proceed with transit projects<sup>3</sup>, I would be supportive of this if the plans they were proceeding with were not changing significantly from plans that have been worked on for years, possibly a decade in the case of the Langstaff Gateway Secondary Plan. I would also note that while it might not be within Metrolinx's authority to compensate property owners this legislation did give greater authority for Metrolinx to expropriate property and reduced landowners' rights<sup>4</sup>. Early works construction was documented in Mr. Vestors presentation, this has been incredibly controversial for communities<sup>5</sup>.

---

<sup>1</sup> [https://www.auditor.on.ca/en/content/annualreports/arreports/en18/v1\\_306en18.pdf](https://www.auditor.on.ca/en/content/annualreports/arreports/en18/v1_306en18.pdf)

<sup>2</sup> [https://www.auditor.on.ca/en/content/annualreports/arreports/en21/3-03GOSelectionPAC\\_en21.pdf](https://www.auditor.on.ca/en/content/annualreports/arreports/en21/3-03GOSelectionPAC_en21.pdf)

<sup>3</sup> Building Transit Faster Act. <https://www.ontario.ca/laws/statute/20b12>

<sup>4</sup> <https://www.blg.com/en/insights/2021/05/modernizing-the-expropriation-framework-a-year-of-change#:~:text=Bill%20171%2C%20the%20Building%20Transit%20Faster%20Act%2C%202020%2C%20establishes,of%20a%20priority%20transit%20project.>

<sup>5</sup> <https://stevemunro.ca/2021/09/28/ontario-line-sept-21-consultations-eastern-segment/>

How could we not have known about the difficulties tunneling under highway 407 and highway 7 until now? There are still so many uncertainties surrounding the CN Rail and Go Lines why are these any less prohibitive than the obstacles for the Yonge St. alignment? The tunneling underneath existing homes seems to also come with a great deal of uncertainty, why is this not prohibitive in Options 2 & 3? Will the Royal Orchard station actually materialize or is it a political ruse? Information that has been brought forward under the MTO, which includes Metrolinx, is too often selective and only includes the pieces that serve to promote the outcome that politicians and senior management want. While I mean no disrespect to Metrolinx, MTO staff or the consultants I am not sure if the public is being bombarded with one sided technical jargon or being given a truthful analysis. My research on highway 413, the Bradford Bypass, MZO's and the scandals that surround Metrolinx as well as Infrastructure Ontario leaves me highly skeptical.

Metrolinx is leveraging land holdings to pay for transit but selling them without due regard if this prime publicly owned real estate could be best used in the greater public interest or achieving other policy objectives and goals. This seems like a lost opportunity, irresponsible and at worse a transferring of public assets undervalued to the private sector as happened under the Harris PC government<sup>6,7</sup>.

*It is difficult to have trust.*

I find Deloitte's involvement of the same staff member in multiple areas with multiple organizations curious. He is one of the authors of York Region's submission to the federal government seeking federal funding for the YNSE<sup>8</sup>, he a member of Metrolinx's project evaluation advisory panel<sup>9</sup>. Deloitte has received two sole source contracts from the province worth up to \$43.7M relating to COVID<sup>10</sup>. Deloitte was retained by the City of Brampton to investigate allegations into corruption at City Hall, which omitted issues that involved former federal cabinet Minister Peter Mackay who was hired by Deloitte in December, 2020<sup>11</sup>.

*It is difficult to have trust.*

I support the Transit Orientated Communities concept I do not support Infrastructure Ontario's delivery. It is Transit Orientated Development that has little regard for Community because their approach does not address community services and needs, does not provide any assurances on affordable housing or

---

<sup>6</sup> <https://www.cbc.ca/news/canada/toronto/provincial-land-transit-hub-private-developer-sale-1.6330555> or <https://thepointer.com/article/2022-01-25/brampton-considers-mzo-requests-and-highway-413-region-ponders-vacant-home-tax>

<sup>7</sup> <https://www.theglobeandmail.com/news/national/why-would-a-motivated-salesman-sell-land-so-cheap/article1339863/>

<sup>8</sup>Yonge North Subway Extension Submission. Authors: [Mario Iacobacci](#), Ph.D., M. Phil Partner, Economic Advisory Deloitte LLP and Remo Bucci, P.Eng Partner, Infrastructure and Capital Projects Deloitte LLP

[https://www.vivanext.com/PDFs/YSE/YSE-Submission\\_Dec-8-20.pdf](https://www.vivanext.com/PDFs/YSE/YSE-Submission_Dec-8-20.pdf)

<sup>9</sup> Project Evaluation Advisory Panel: [Mario Iacobacci](#) Partner, Economic Advisory Deloitte <https://www.metrolinx.com/en/regionalplanning/projectevaluation/benefitscases/Metrolinx-Project-Evaluation-Advisory-Panel.pdf>

<sup>10</sup> <https://www.thestar.com/business/2022/01/28/wsib-ford-government-pay-224-million-to-global-consulting-company-deloitte-to-run-covid-19-paid-sick-leave-program.html?rf>

<sup>11</sup> <https://thepointer.com/article/2021-10-12/patrick-brown-secretly-directed-city-staff-to-help-peter-mackay-his-firm-deloitte-handled-the-investigation-into-the-matter>

other aspects that make complete communities<sup>12,13</sup>. In Vaughan. I have had conversations with community members who noted our local water park was busier last summer because people living in the condos surrounding the new subway do not have community spaces, as of yet, are coming to adjacent established communities to use existing services. I take no issue with this, am happy to see the parks better utilized but Vaughan's staff reports warn our community services and infrastructure will not be able to keep up with the level of development coming. This appears to fall upon deaf ears at Vaughan Council. What will the impact be on surrounding community services of the TOC proposals if approved with a MZO that provides few assurances other than density.

Infrastructure Ontario's TOC proposal partner's logo on the website<sup>14</sup> is the same as the one involved with the Walmart Warehouse MZO<sup>15</sup>, which was solely required to declassify 3 small provincially significant wetlands. The warehouse is standing and has forced the development to the south to start. It was premature Jane St is not planned to be upgraded by the Region until 2030<sup>16</sup>, yet the MZO was approved with the entrance/exit off Jane St. The site does not have water and wastewater infrastructure and Vaughan Council has approved an Interim Servicing Strategy<sup>17</sup> that will service this site and others that have been the subject of significant long-standing lobbying efforts, long before the Region had planned waste water infrastructure. I believe taxpayers will pay for this interim solution in the long run above and beyond the development charges, Jane St will be upgraded ahead of schedule regardless of other regional priorities.

*It is difficult to have trust.*

0.49 cents of each property tax dollar I pay goes to York Region. The decisions that continue to be made in these chambers are not respectful of this, too often they do not support the recommendations of staff and the fiscal impacts are not presented and it is unclear if they are well understood. There seems to be a disconnect between what staff present, recommend and what Council decides, these decisions will undermine the Region's ability to meet numerous policy goals and objectives.

Today I ask Council to support Markham's direction well-informed staff report<sup>18</sup> that lists a multitude of valid reasons why the alignment and TOC proposals should not be supported as currently presented by Metrolinx and Infrastructure Ontario both are government funded organizations accountable to the citizens of Ontario.

*I would like to have trust in my government.*

Thank you,  
Irene Ford

---

<sup>12</sup> Can a master-planned neighbourhood be a place worth visiting? With Toronto's East Harbour, the signs aren't good. Globe & Mail. Dec 1, 2021.

<https://www.theglobeandmail.com/canada/toronto/article-can-a-master-planned-neighbourhood-be-a-place-worth-visiting-with/>

<sup>13</sup> <https://yorkpublishing.escribemeetings.com/filestream.ashx?DocumentId=28867>

<sup>14</sup> <https://engagebridge.ca/>

<sup>15</sup> <https://pub-vaughan.escribemeetings.com/filestream.ashx?DocumentId=30450>

<sup>16</sup> <https://pub-vaughan.escribemeetings.com/filestream.ashx?DocumentId=94229>

<sup>17</sup> <https://pub-vaughan.escribemeetings.com/Meeting.aspx?Id=5f6745e6-0088-4355-ae44-86f05b848888&Agenda=PostAgenda&lang=English&Item=22&Tab=attachments>

<sup>18</sup> <https://pub-markham.escribemeetings.com/filestream.ashx?DocumentId=47412>

January 13, 2022

## Yonge North Subway Extension – Bridge & High-Tech Transit Orientated Communities

Member of York Region Council,

Thank you for allowing me the opportunity to give a deputation this afternoon.

I would like to premise my deputation by stating that I support the principles of Transit Orientated Communities and the goals and objectives that are intended to be met by this provincial-led program<sup>1</sup>. I came today because I don't have much faith in the direction being provided by Metrolinx, whom is governed and accountable to the Ministry of Transportation and because I have concerns about the use of Minister Zoning Orders. There is no doubt that there is support for a subway station, for better transit and to increase density within our existing communities. The public concern surrounds the ad-hoc rationale and justifications being provided from the Province.

After listening to Council I would like to share that I believe that the public concern may stem from the staff report and presentation being released with the revised agenda, likely yesterday. If this was a special committee of the whole meeting as opposed to a Council meeting the issue of deputations, feelings of the process being undemocratic would not be so pronounced because there would be a subsequent opportunity to send communications and voice concerns regarding anything discussed or decided today in 2 weeks' time at a subsequent Council meeting. It does not help that the public never knows when a motion may arrive on the floor for Council to vote upon that may differ from the recommendations of staff, as happened with ROPA7 in a motion brought forward by Regional Councillor Jackson.

I remind Council that the Minister of Municipal Affairs and Housing has repeatedly stated publicly that he expects that municipal requests for MZOs include a supporting Council resolution<sup>2</sup>; that the MTO came to Markham Council and essentially told them they have to approve a MZO to provide certainty for the developer regarding density so that they can finance the subway stations. This does not appear to have been presented as a choice. On top of this it would appear it is the same influential landowners/developers who are benefiting from the provincial designation of transit orientated communities<sup>3</sup>. This also reduces my confidence in the Transit Orientated Communities program. If a

---

<sup>11</sup> <https://www.ontario.ca/page/transit-oriented-communities>

<sup>2</sup> Refer to Auditor General's report entitled: Value for Money Report on Land-Use Planning in the Greater Golden Horseshow, see pg. 46: *"The Minister has publicly stated that he expects that municipal requests for a zoning order include a supporting Council resolution on non-provincially owned lands, which is a public document. As Council meetings are generally open to the public, this adds to public awareness of a request being made, often with supporting materials and background reports, for the Minister to consider when granting a zoning order. The Minister has publicly stated that he expects that before a municipality requests an MZO it does its due diligence, which includes consultation in their communities, connecting with conservation authorities and engaging with potentially-affected Indigenous communities."*

[https://www.auditor.on.ca/en/content/annualreports/arreports/en21/AR\\_LandUse\\_en21.pdf](https://www.auditor.on.ca/en/content/annualreports/arreports/en21/AR_LandUse_en21.pdf)

<sup>3</sup> For example, The Orbit development in Innisfil:

*"However, the residential and employment development densities needed by the developer to secure financing for the proposed station and support the provincial Transit Oriented Community ("TOC") model requires an expedited planning approval process. As a result of the land use certainty required to make significant infrastructure investments and construct the proposed GO Station, a request of the Minister of Municipal Affairs and Housing ("MMAH") for a Ministerial Zoning Order ("MZO"), by the Town with support from the County of Simcoe, is*

MZO is approved it will eliminate the opportunity for any future appeals even if a new provincial government is in office, unless they are willing to change the legislation<sup>4</sup>. Plus, it is unclear to me that the public will have any idea what the province and the landowner/developer has agreed to in the Transit Orientated Communities agreement/contract. My understanding is the developer/landowner is buying density in exchange for funding the subway station<sup>5</sup>.

I fail to understand how the direction dictated by the Province for Transit Orientated Communities as well as Major Transit Station Areas has been or will be reflected in York Region's recently approved draft Official Plan. It has been acknowledged by York Region planning staff in community meetings that the density that is required by these designations was not factored into the draft Official Plan and if it had been accounted for then **NO** urban boundary expansion would be required. Unfortunately, the process and dialogue has been controlled so tightly, rushed so quickly that planning staff have been afforded little to no opportunity to communicate this to the public or Council.

The Auditor General's recent value for money audit report on land use stated that York Region has had to spend millions of additional dollars due to changes announced by the province mid-way through the Municipal Comprehensive Review process<sup>6</sup>. This seems to only further contribute to additional costs. This report also identified numerous other concerns with regard to the use of MZO's that have not been resolved or addressed.

I support the subway. I do not support the use of MZOs and I question the Transit Orientated Community model which requires density certainty to enable the developer to secure financing for their development and the public transit station. I am also highly concerned about the use of Major Transit Station Area designations and members of Council using this as justification to increase density and/or expand the urban boundary long before transit will arrive. Such as the approved Concord Go MZO in

---

*proposed to establish the outer limit of the Orbit as a "Major Transit Station Area" and support the initial stages of The Orbit, including the proposed GO Station with specific planning controls for future development."*

<https://innisfil.civicweb.net/FileStorage/FA2426F4F7B9460CAC8D4ABB2ED4B8D6-Mobility%20Orbit%20-%20Draft%20Ministerial%20Zoning%20Order.pdf>

<sup>4</sup> See Note 2 and Refer to pg. 48:

"In 2017, Bill 139, the Building Better Communities and Conserving Watersheds Act, 2017, removed the ability for individuals to appeal an MZO to the then Ontario Municipal Board (now the Ontario Land Tribunal). As discussed in Section 4.4.4, MZOs already bypass public consultation requirements. In addition, as discussed in Section 4.4.5, the Minister does not always consult affected stakeholders such as municipalities and conservation authorities. Therefore, removing the ability for anyone to appeal MZO decisions in Bill 139 eliminated the last remaining opportunity for stakeholders and the general public to comment on MZOs outside of judicial reviews"

<sup>55</sup> This Auditor General report is a follow up on Go Station Selection it provides numerous references of best practices and references the Transit Orientated Communities. It is unclear to me if these recommendations have or are being applied to the High-tech and Bridge Stations:

[https://www.auditor.on.ca/en/content/annualreports/arreports/en21/3-03GOSelectionPAC\\_en21.pdf](https://www.auditor.on.ca/en/content/annualreports/arreports/en21/3-03GOSelectionPAC_en21.pdf)

<sup>6</sup> See note 2, refer to pg. 3:

"Numerous changes in policies have created instability in the land-use planning process. Significant changes in provincial landuse planning policies over the last 10 years, often occurring within a year of a previous change, have made it challenging for GGH municipalities to ensure their planning documents are upto-date and conform with such policies. For example, when the Ministry amended the Growth Plan in 2017, it gave municipalities five years, until July 2022, to update their official plans. However, the Ministry amended the Growth Plan again in 2019 and 2020. This forced many municipalities to redo studies and planning work that they had completed. One municipality (Regional Municipality of York) had to redo the technical work that cost "several millions."

Vaughan or recent discussions in Markham surrounding the possible Major Mackenzie Go Station<sup>7</sup>. Or the Transit-Way proposed surrounding Highway 413, which appears to be nothing more than an idea on paper<sup>8</sup>.

***York Region Council cannot have it both ways you can not tell us that you have to support greenfield development, sprawl and endorse such an extensive urban boundary expansion, because of anticipated NIMBY from existing communities when the reality is you are being mandated by the province to support extensive increases in density within the existing urban boundary.***

My question for Council, who I hope will allow staff to answer, is: How will increases in density be reflected in the draft Official Plan? If these densities are supported by Council then will the level of Greenfield development required be reduced?

My other question for Council is what will it take for you to pass a motion expressing concern about the direction coming from the current provincial government which appears to be political, subjective and whose motives tend to support very powerful and influential actors and continues to fail to demonstrate that their motivations are based in evidence or best practices, the interests of the Region or the broader public interest?

Thank you for listening and allowing me to speak today.  
Irene Ford

---

<sup>7</sup> "The Concord GO Station was subject to two unsuccessful business cases in 2016 and 2018." See: [https://www.vaughan.ca/projects/policy\\_planning\\_projects/Concord\\_GO\\_Centre/Pages/Frequently-Asked-Questions.aspx](https://www.vaughan.ca/projects/policy_planning_projects/Concord_GO_Centre/Pages/Frequently-Asked-Questions.aspx)

<sup>8</sup> Near the end of the Highway 413 Community Engagement Session hosted for York Region On Dec 9, 2021 an MTO staff member acknowledges that minimal work has been completed on the Transit Way. No vides has been posted as of yet. <https://www.highway413.ca/consultation-2/>