

FURTHER TO EXECUTIVE COMMITTEE #2/07

To be held Friday, April 13, 2007

Pages

FURTHER TO:

7. SECTION I - ITEMS FOR AUTHORITY ACTION

ITEM 7.12 - LISTED ON AGENDA AS REPORT TO FOLLOW

**7.12 CITY OF VAUGHAN OFFICIAL PLAN AMENDMENT 620 - STEELES AVENUE
CORRIDOR (BETWEEN JANE STREET AND KEELE STREET)**
Ontario Municipal Board Hearing

157-162

8. SECTION II - ITEMS FOR EXECUTIVE ACTION

8.1 ERRATA UPDATE SHEET

WITHDRAWN

8.1.34 REGIONAL MUNICIPALITY OF PEEL

163-165

TO: Chair and Members of the Executive Committee
Meeting #2/07, April 13, 2007

FROM: Carolyn Woodland, Director, Planning and Development

RE: CITY OF VAUGHAN OFFICIAL PLAN AMENDMENT 620 - STEELES AVENUE CORRIDOR (BETWEEN JANE STREET AND KEELE STREET)
Ontario Municipal Board Hearing

KEY ISSUE

Authorization for party status before the Ontario Municipal Board on referrals by three individual companies related to Official Plan Amendment 620 of the City of Vaughan, which provides the policy framework for the redevelopment and intensification of the lands within the area bounded by Jane Street, the hydro corridor, Keele Street and Steeles Avenue, in anticipation of the future Spadina Subway Extension.

RECOMMENDATION

THE EXECUTIVE COMMITTEE RECOMMENDS THAT authorization be given to Toronto and Region Conservation Authority (TRCA) staff to obtain party status before the Ontario Municipal Board (OMB) relating to appeals by three individual companies with respect to City of Vaughan Official Plan Amendment No. 620, being an amendment to promote the redevelopment and intensification of the Steeles Avenue corridor, between Jane Street and Keele Street;

THAT staff advise the OMB that TRCA supports the policies of the City of Vaughan Official Plan Amendment No. 620;

THAT staff be authorized to retain legal counsel to pursue this appeal before the OMB, to protect our commenting agency responsibilities and landowner interests;

AND FURTHER THAT the OMB and all parties and participants to the hearing be so advised.

BACKGROUND

City of Vaughan OPA No. 620

On June 26, 2006 the City of Vaughan adopted Official Plan Amendment No. 620 (OPA 620). The purpose of OPA 620 is to manage and direct appropriate land use, density and heights, while establishing the policy framework for the redevelopment and intensification of the lands within the area bounded by Jane Street, the hydro corridor, Keele Street and Steeles Avenue in anticipation of the future Spadina Subway Extension. In November 2006 the Regional Municipality of York issued the notice of approval of OPA 620. OPA 620 was appealed by three local landowners and the initial OMB pre-hearing conference took place on April 2, 2007.

TRCA staff provided written comments to the City of Vaughan Planning Department on two occasions: September 3, 2004 and May 29, 2006. TRCA identified stormwater and flood management as a key issue in the Black Creek corridor, and the need to conduct a more comprehensive review of the study area, rather than to deal with development on a site by site basis. In conjunction with this request, TRCA also advocated for the use of innovative, sustainable water management practices for this area, including green roofs, permeable pavement, rainwater harvesting for irrigation and greywater systems.

Additionally, TRCA met with city staff to discuss the appropriate form of development for the lands located on the northeast corner of Jane Street and Steeles Avenue, and the relationship of these lands to Black Creek Pioneer Village (BCPV). At this time concerns about visual impact of built form at the intersection of Jane Street and Steeles Avenue on BCPV was reiterated to city staff. It was noted that pedestrian and public enhancements in the area should compliment BCPV and serve as a gateway to the village, as well as to the city.

Coupled with this concern was the issue of traffic in the area and its impacts on BCPV. Specifically, TRCA staff expressed a concern over the left turn movements of the intersection, and the possible need of a dual left-turn lane for southbound Jane Street.

Appeals

As noted earlier, there were three appellants: Serenity Park Cemetery Corporation (Serenity Park), United Parcel Services Canada Ltd. (UPS) and Steeles-Keele Investments (SKI). Based on the Draft Procedural Order submitted as part of the proceedings of the pre-hearing conference, the main issues cited for the appeals, and related to TRCA's interests, are detailed below.

Serenity Park, the owners of the lands on the northeast corner of Jane and Steeles, noted "are the maximum height limits and built form policies appropriate for development of this corner site?". Additionally, it was noted "do the policies in the draft official plan provide for appropriate opportunities to permit full development of this area should the cemetery development not proceed, particularly with respect to maximum density?".

SKI noted "should components of stormwater management pond blocks be counted as parkland dedication?" and "are the densities in the proposed official plan amendment appropriate, particularly for non-residential use sites?".

The matters of concern to UPS focused mainly on the ability of UPS to expand the current operation, while addressing stormwater management on an interim basis in light of OPA 620. TRCA is currently involved in discussions with UPS regarding the expansion through the site plan approval process.

TRCA Involvement

In 1997, TRCA sold lands at the northeast corner of Jane Street and Steeles Avenue to Serenity Park. The sale included a restrictive covenant between TRCA and the land owner, and was registered on title. The restrictive covenant included a condition on the lands that due to their proximity to the historic BCPV, the height of buildings on the site was limited to no more than 6 storeys.

In March 2004, TRCA dealt with the Serenity Park applications wherein the proponent sought approvals from the City of Vaughan to permit the lands to be used for a crematorium and columbaria. The development was ultimately approved by the OMB. In 2005 the developers consultant brought forward a new highrise proposal to TRCA for consideration.

At Authority Meeting #9/05, held on November 25, 2005, Resolution #A257/05 was approved as follows:

THAT staff be authorized and directed to enter into discussions with representatives of Serenity Park Cemetery Corporation with respect to Toronto and Region Conservation Authority's (TRCA) requirement that any development of the site be no more than six stories;

THAT staff be authorized to engage the services of a qualified real estate appraiser to assist in the valuation of the Serenity Cemetery proposal;

AND FURTHER THAT staff report to the Authority on the results of these discussions at the earliest opportunity.

At the Authority Meeting #7/06, held on September 29, 2006, Resolution #A193/06 was approved as follows:

THAT staff be directed to discontinue negotiations with Serenity Park Cemetery Corporation regarding height restrictions on lands at the northeast corner of Jane Street and Steeles Avenue West.

Based on the appeal of OPA 620, it appears Serenity Park may be seeking additional height and density, and possible change in land use.

OMB Pre-Hearing

The initial OMB pre-hearing was held on April 2, 2007. TRCA staff attended the pre-hearing seeking party status. The Chair of the OMB presiding over the pre-hearing issued an oral decision indicating that TRCA and the City of Toronto would be referred to as "parties seeking party status" in future procedural orders. At this time, the OMB has not consented to either TRCA or the city having party status.

A further pre-hearing is scheduled for May 24, 2007. Prior to the pre-hearing, all parties, including TRCA and the city, were required to submit an issues list for April 16, 2007.

RATIONALE

TRCA responded to the City of Vaughan as a commenting agency, vis-a-vis the issue of stormwater and flood management. With respect to the building height issue and traffic, TRCA responded as an adjacent property owner seeking to protect the interests of BCPV, as it relates to its historic and heritage attraction.

The final report of June 2006, prepared by City of Vaughan Planning staff and adopted by Council, identified TRCA's issues and introduced policies addressing the building height and stormwater management. TRCA supports the proposed building height limit of 6 storeys at the intersection as established by Vaughan Planning staff. Vaughan staff also identified pedestrian connections and additional streetscaping policies to improve the gateway and environment around BCPV as requested by TRCA staff.

Regarding the stormwater management matter, Vaughan Planning staff has concurred appropriate measures are required and has identified that the city will prepare a Terms of Reference for a study to comprehensively address this issue for the Secondary Plan area and Black Creek corridor. It is imperative that stormwater management be reviewed and conducted in a comprehensive manner, rather than on an incremental basis. It is staff's understanding that the City of Vaughan has initiated a Terms of Reference process to assist in engaging the services of a qualified consultant to undertake this review. OPA 620 acknowledges that a comprehensive approach is required and must be completed prior to the consideration of development approvals. It is TRCA's opinion that this is necessary to establish the limits of development and stormwater management blocks. Staff also recommend that the redevelopment of this study area have regard to minimizing impacts on the environment. All development should address the use of innovative sustainable water management practices for this area including, but not limited to, green roofs, permeable pavement and rainwater harvesting for irrigation and greywater systems.

City staff in addressing the traffic issue determined that no further modifications were required because the issue was examined by the consultants hired by the city as part of the OPA review. Additionally, it was noted that the intersection was, and will continue to be congested, and it is anticipated that the extension of the Spadina Subway will encourage more public transit trips to the overall area, including BCPV.

Notwithstanding the adoption of OPA 620, the subsequent appeals by the parties seek to change some of the proposed policies, and of particular concern to TRCA, the building heights at Jane Street and Steeles Avenue. Therefore, TRCA's issues (building heights, stormwater management, traffic and green technology) should be reiterated for the OMB hearing.

TRCA seeks to ensure that any building heights proposed for the Jane and Steeles intersection minimize the impact on the historic Black Creek Pioneer Village.

TRCA still has a concern with significant congestion in this area, particularly during the peak periods and the impact it has on increased travel times, and how it impacts a comfortable and safe pedestrian environment. Of significance is the ability of potential visitors to get to BCPV for its many attractions and events. It is recommended that traffic calming measures be considered as part of resolving this issue.

On the basis of the above, and given that the City of Vaughan has included TRCA's concerns through the policies contained in the amendment, TRCA support OPA 620, as adopted.

DETAILS OF WORK TO BE DONE

Staff is requesting the authorization of the Executive Committee to retain legal counsel to ensure that TRCA interests as a commenting agency and as an adjacent landowner are protected and addressed at the hearing. Staff and retained legal counsel will continue to work with the parties and participants to the hearing to resolve our issues, and will continue to represent the interests of TRCA before the OMB.

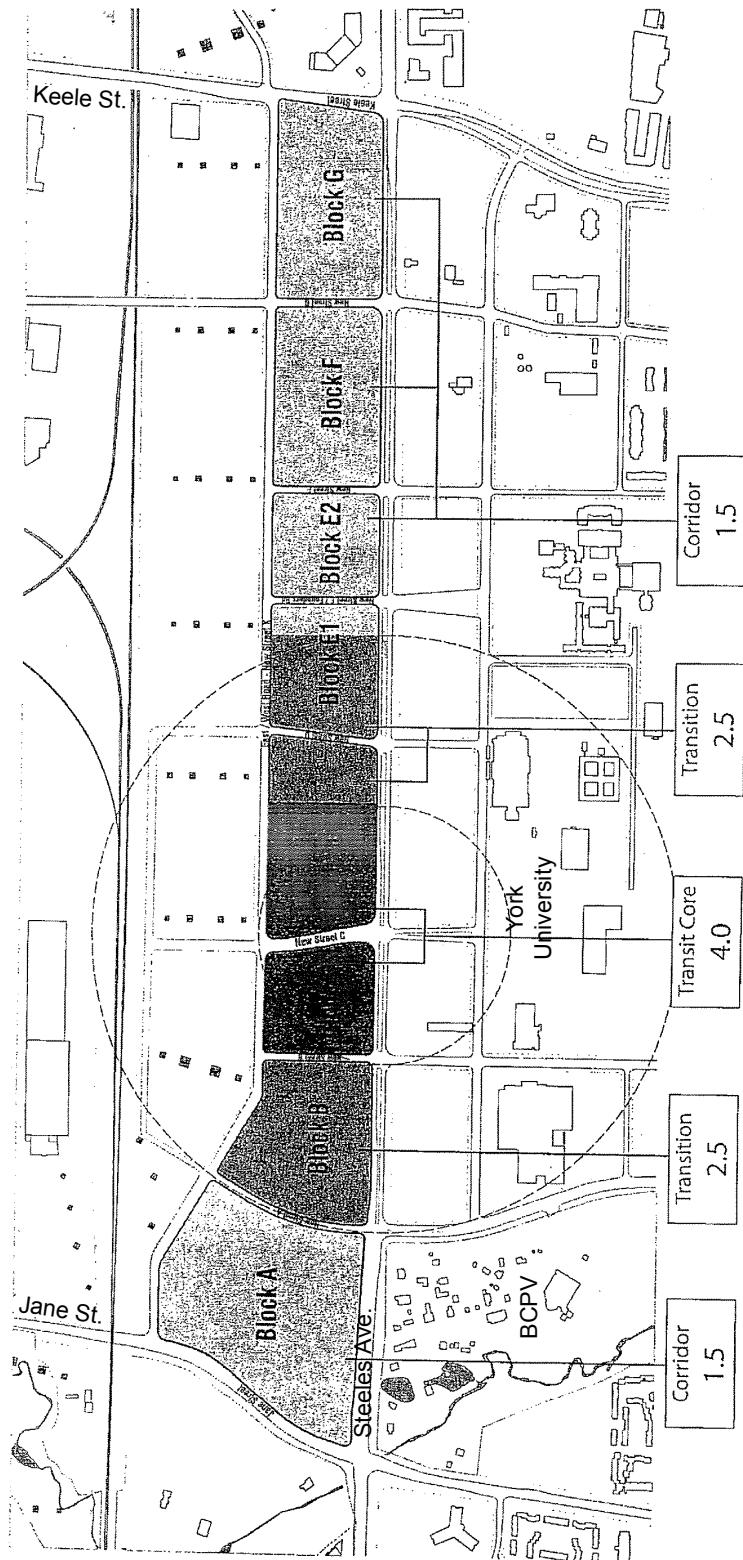
Report prepared by: Bill Kiru, extension 5306

For Information contact: Bill Kiru, extension 5306

Date: April 03, 2007

Attachments: 1

Attachment 1



Schedule A - Land Use & Density

8.1 APPLICATION FOR PERMITS UNDER ONTARIO REGULATION 166/06
Development, Interference with Wetlands and Alterations to Shorelines and
Watercourses

Information has been received and reviewed by staff for the following Scheduled Errata items. The recommendations within the staff reports should be amended to include the following:

8.1.29 CITY OF BRAMPTON

- Letter of Undertaking to provide revisions to the engineering drawings to the satisfaction of the TRCA: dated April 11, 2007; received April 11, 2007; prepared by the City of Brampton.

8.1.30 CITY OF BRAMPTON

- Letter of Undertaking, prepared by A. Fox, City of Brampton, dated April 11, 2007, to address outstanding engineering and ecology related issues.

8.1.31 RANBURNE HOLDINGS LTD.

- Letter of Undertaking, prepared by M. Bales, Counterpoint Engineering, dated April 11, 2007, to address outstanding engineering and ecology related issues.

8.1.32 RIDGECORE DEVELOPERS INC.

- Letter of undertaking provided by Sandra Garcia of Urbantech, dated April 5, 2007, to address all outstanding engineering and ecology related items.

8.1.33 SANDRINGHAM PLACE INC.

- Letter of undertaking provided by David Kellersohn, P.Eng, of Schaeffers Consulting Engineers, dated March 27, 2007, to address all outstanding engineering and ecology related items.

8.1.34 REGIONAL MUNICIPALITY OF PEEL

WITHDRAWN

8.1.35 BELL CANADA

- Plan No. 401, Design Drawing; Plan No. 701, Sediment Control Details, prepared by Plantec, dated February 1, 2007, received on February 16, 2007.

8.1.36 WEST TORONTO CHURCH OF GOD

- Drawing No. A1, Site Plan, prepared by Doris L.K. Cheung Architect, dated April 3, 2007, received April 5, 2007;
- Drawing No. A8, Elevations, prepared by Doris L.K. Cheung Architect, dated April 3, 2007, received April 5, 2007;
- Drawing No. A9, Elevations, prepared by Doris L.K. Cheung Architect, dated April 3, 2007, received April 5, 2007;
- Drawing No. SS -1, Grading, Surface Water, Stormwater Management, prepared by W.G. Notenboom, dated November 14, 2006, received February 21, 2007.

8.1.37 CITY OF TORONTO

- Letter of Undertaking to provide minor revisions to address TRCA comments on the draft erosion potential assessment report and adaptive environmental management plan, all to the satisfaction of TRCA; prepared by the City of Toronto; dated April 10, 2007; received by TRCA April 11, 2007.

8.1.38 9441 HUNTINGTON ROAD

- Letter of Undertaking indicating that revisions will be made to the Site Grading Plan (Valdor Dwg. 06124-1) to include additional plantings along the berm and at the outlet to the satisfaction of the TRCA, signed by David Giugovaz, P.Eng. of Valdor Engineering Inc., dated April 11, 2007, received by the TRCA on April 11, 2007.

8.1.39 LAMBERTON MEADOWS ESTATES CORPORATION

- Drawing No. 05144 G-1, Site Grading and Servicing Plan, prepared by V.A. Piscione & Associates Inc., dated January 30, 2006, revised March 22, 2007, received by the TRCA on March 23, 2007;
- Drawing Number L-1, Landscape Plan, prepared by Landscape Planning Limited, dated March 21, 2006, revised March 23, 2007, received by the TRCA on March 23, 2007.

8.1.40 BERKSHIRE COMMUNITIES LTD.

- Letter of undertaking provided by A.M. Candaras, P.Eng, of A.M. Candaras Associates Inc. to address all outstanding engineering related matters.

8.1.41 15570 MOUNT HOPE ROAD

- Letter of Undertaking, prepared by F. Kolb, dated April 11, 2007, to address outstanding ecology related issues.

8.1.42 REGIONAL MUNICIPALITY OF PEEL

- Letter of Undertaking to provide revisions to the engineering drawings to the satisfaction of TRCA, dated April 10, 2007; received April 10, 2007; prepared by the Region of Peel.

8.1.43 HIGHWAY 50 EAST SIDE, SOUTH OF FINNERTY SIDEROAD

- Letter of undertaking provided by Tim Van Stralen, dated April 11, 2007, to address minor outstanding TRCA Ecology and Engineering issues prior to the issuance of the permit.

8.1.44 CRESTVALE HOLDINGS INC.

- Drawing No. L1 of 2, Tree Inventory, Preservation Plan and Arborist Report, prepared by Strybos Barron King Landscape Architecture, dated December 2006, first revision dated April 3, 2007, received April 5, 2007;
- Drawing No. L2 of 2, Valleyland Restoration Planting Plan, prepared by Strybos Barron King Landscape Architecture, dated December 2006, first revision dated April 3, 2007, received April 5, 2007;
- Drawing No PI-1 of 2, Lot Grading Plan, prepared by Valdor Engineering Inc., dated December 11, 2006, second revision dated March 12, 2007, received March 14, 2007;
- Drawing No PI-2 of 2, Sediment Control Plan, prepared by Valdor Engineering Inc., dated December 11, 2006, second revision dated March 12, 2007, received March 14, 2007;

- Letter of Intent, prepared by Landowner (Art Saccoccia), received March 14, 2007.
- 8.1.45 RIOTRIN PROPERTIES (RICHMOND HILL) INC.**
- Letter of Undertaking by Mr. David A. McKay, BES MCIP RPP, agreeing to revise all plans and documents associated with the permit application to the satisfaction of TRCA staff.

8.1.46 124 ELMPINE TRAIL

- Drawing Number SP-1, 124 Elmpine Trail Proposed Rear Addition Garage and 2 Storey Addition, dated March 2007, received by the TRCA on March 29, 2007, redline revised to add the title 'Site Plan', to remove the word 'invasive', to add dimensions to the septic tank and shallow buried trench system, to correct the scale at the rear of the lot, and to make revisions to the Erosion and Sediment Control Strategies.