

**Steeles Avenue Corridor (Jane Street to Keele Street)
City of Vaughan Official Plan Amendment 620
Request for Direction Report**

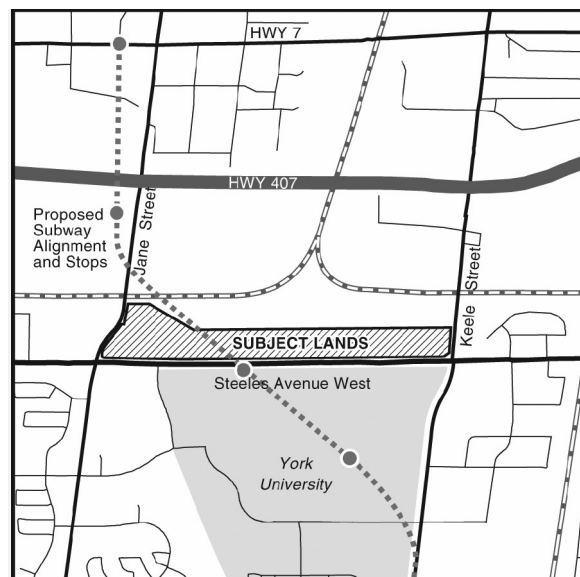
Date:	January 31, 2007
To:	Planning and Growth Management Committee
From:	Ted Tyndorf, Chief Planner & Executive Director, City Planning Division
Wards:	Ward 8 – York West
Reference Number:	pg0700010

SUMMARY

The City of Vaughan has adopted and York Region has approved Amendment No. 620 (OPA 620) to the Vaughan Official Plan which redesignates the corridor along the north side of Steeles Avenue West from Keele Street to Jane Street from “Employment Area” to a mixed use higher density area in support of significant public investment in transit improvements, including the Spadina Subway Extension. The OPA 620 plan is expected to accommodate 5,500 residential units for a potential population of 11,000 people and approximately 4,000 employees. The Official Plan Amendment has been appealed to the Ontario Municipal Board (OMB) by three of the landowners in the OPA 620 area.

This purpose of this report is to seek Council direction for the City Solicitor to seek party status at the Ontario Municipal Board to support the position outlined in this report.

OPA 620 has direct impact on the City’s interests for future development around the York University Secondary Plan area, which is currently under review, and on Steeles Avenue. It is important that the City of Toronto participate as a party at the



OMB hearing in order to continue to represent the City's interests in this area.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council instruct the City Solicitor and the appropriate City staff to attend the Ontario Municipal Board to support the position outlined in the following recommendation:
 - a) Protect the City's interests at the Ontario Municipal Board vis a vis issues raised by the appellants as they relate, but are not limited to, infrastructure improvements, traffic and transit impacts, additional density and urban design policies;
 - b) The phasing mechanisms in OPA 620 be maintained and applied to all of the lands to ensure that the ultimate achievable densities in OPA 620 will not be met until:
 - (i) funding for the subway extension has been committed;
 - (ii) the environmental assessment for the new east-west road north of Steeles Avenue and any other roads are initiated;
 - (iii) the City of Vaughan's Master Environmental Servicing Plan is completed; and,
 - (iv) the City of Vaughan's master plan for Recreation, Culture, Parks Buildings and Facilities evaluates needs and identifies an appropriate funding strategy in the OPA 620 area.
 - c) The wording of Section 37 policies dealing with implementation of community services be amended to clarify what are the "required" community services; and
2. The City Clerk forward a copy of this report to the City of Vaughan and Region of York;

FINANCIAL IMPACT

There are no financial implications resulting from the adoption of this report.

ISSUE BACKGROUND

The City of Toronto is currently reviewing the Secondary Plan governing the university lands directly south of the OPA 620 study area. A key component of this work involves formulating policies that ensure appropriate land uses and densities will be in place to support the significant public funding of the Spadina Subway Extension. This work to determine future road and block layouts, traffic capacity requirements, development phasing, parks and open space systems, land use and built form alternatives and community service capacity is not yet completed.

The City of Vaughan has adopted and York Region has approved Amendment No. 620 to the Vaughan Official Plan which redesignates the corridor along the north side of Steeles Avenue West from Keele Street to Jane Street from “Employment Area” to a mixed use higher density area in support of the public investment in transit infrastructure improvements, including the Spadina Subway Extension.

The goal of OPA 620 is to create a vibrant live-work community consisting of mixed use higher density buildings in a compact pedestrian-friendly urban form. The OPA 620 plan is expected to accommodate 5,500 residential units for a potential population of 11,000 persons and 83,000 square metres of office/commercial space generating approximately 4,000 employees. The proposed land uses, densities and built form will be in response to, and supportive of, improvements in higher order public transit infrastructure, including the Spadina Subway Extension, a commuter parking lot and a possible inter-regional bus terminal. The development densities range from a 4.0 Floor Space Index (FSI) at the subway station to 1.5 FSI at the greatest distance from the station.

Toronto City Planning staff have provided comments to the City of Vaughan and York Region (see Attachment 1) throughout the process and modifications to the OPA 620 plan were made in response to our concerns. The Region of York approved modifications to the community services policies as requested by Toronto City Planning.

The Official Plan Amendment has been appealed to the Ontario Municipal Board by three landowners in the OPA 620 area. The principal issues of contention raised by the appellants concern the implementation of public infrastructure (including the east-west road), the potential for additional development densities, urban design policies and the protection of existing development rights. The resolution of these issues has implications for the City’s interests and should be addressed at the Ontario Municipal Board.

COMMENTS

OPA 620 has the potential to result in significant impacts on the City of Toronto and Steeles Avenue. City staff have previously raised concerns regarding the adequacy of the policy mechanisms in OPA 620 to secure key infrastructure improvements to support transit operations and facilities and to ensure the proposed higher density development does not negatively impact the operation of the area's shared road network, the Keele Employment Area and future development of the York University lands. The City of Vaughan and the Region of York have attempted to address these concerns, including a proposal to strike a committee to facilitate the coordinated implementation of the OPA 620 and the York University Secondary Plan which are on both sides of Steeles Avenue. Concerns about the adequacy of this response and the appellants' positions on these policies still remain.

City staff previously raised concerns that the transportation analysis supporting OPA 620 does not determine the impact on the operation of the area's shared road network should development proceed prior to the extension of the subway and the addition of new roads within both the OPA 620 and York University lands. Furthermore, the transportation analysis does not recognize the likelihood of an increase in planned development densities on the York University lands that may be appropriate due to by the extension of the subway (in the same manner as it applies to the OPA 620 lands.) Additional development density as requested by the appellants has not been tested to determined adequacy of the infrastructure.

Because of the City's ongoing commitment to the subway expansion, the development of transit supportive land uses in Vaughan and the negotiations occurring with York Region at the time on the cost-sharing agreement for the subway it was not appropriate for the City to appeal OPA 620. However, given the impacts of OPA 620 on City of Toronto lands and existing and future shared municipal infrastructure, the City of Toronto should seek party status at the hearing, now that it has been appealed to the Ontario Municipal Board. This would permit the City to continue to advocate for the City's interests, including the provision of an adequate physical and social infrastructure and an implementation strategy that identifies appropriate funding. This position would support development with appropriate triggers linking the provision of land use permissions to the provision of roads and services. It will also ensure that the City can comment on any revisions suggested by the appellants in so far as they may impact on City services or infrastructure.

If party status is granted, the City will be able to participate fully in the hearing, including opening and closing statements, calling its own witnesses and cross-examining others. However, it should be noted that, because the City did not appeal OPA 620 directly, if the current appellants resolve their issues with Vaughan or withdraw their requests for a hearing, the City has no independent status to compel a hearing into either the City's or the appellants' issues.

CONCLUSION

It is recommended that the City seek party status at the upcoming Ontario Municipal Board hearing into OPA 620 to protect the City's interests as identified in this report.

CONTACT

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SIGNATURE

Ted Tyndorf,
Chief Planner & Executive Director
City Planning Division

ATTACHMENTS

Attachment 1: Letter to York Region dated September 25, 2006

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September 25, 2006

COPY

Mr. Bryan Tuckey
Commissioner
Planning and Development Services Department
Regional Municipality of York
17250 Yonge Street
Newmarket, Ontario
L3Y 6Z1

Attention: Heather Konefat, Director, Community Planning

Dear Mr. Tuckey:

The City Planning Division of the City of Toronto has reviewed the latest version of the City of Vaughan's proposed OPA 620 and are encouraged that many of our comments on previous drafts have been incorporated into the document currently before the Region of York. The City of Toronto continues to recognize and support Vaughan's vision for a vibrant new mixed use neighbourhood that would support the investment in the planned Spadina Subway extension. And, as you are aware, the realization of the subway extension is getting closer as our two Councils consider a cost-sharing proposal to fund the construction of this key interregional link this month.

The City of Toronto, however, requests that the Region of York make amendments to OPA 620 to ensure that our joint interest in ensuring that appropriate regional infrastructure and services are in place to accommodate the transit oriented development densities proposed in the document. It is our view that OPA 620 as currently drafted could be further improved by strengthening the implementation policies to ensure that transportation and other hard and soft service capacities are augmented in conjunction with population and employment growth in the plan area.

As York Region and the City of Vaughan are aware, the City of Toronto and York University are currently reviewing the Secondary Plan governing the university lands directly south of the OPA 620 study area. A key component of this work involves formulating policies that ensure appropriate land uses and densities will be in place to support the significant government funding of the subway extension. Our work on future road and block layouts, traffic capacity requirements, development phasing, parks and open space systems, land use and built form alternatives and community service capacity is not yet finished.

Obviously, development on both sides of Steeles Avenue will share existing and future municipal infrastructure. Without this planning work on the south side of Steeles Avenue being completed, it is important that OPA 620 include appropriate triggers linking the provision of land use permissions to the provision of roads and services so that development proceeds as infrastructure capacity becomes available.

In particular, we are concerned that the transportation analysis supporting OPA 620 does not determine the impact on the operation of the area's shared road network should development proceed prior to the extension of the subway and the addition of new roads within both the OPA 620 and York University lands. Furthermore, the transportation analysis does not recognize the likelihood of an increase in planned development densities on the university lands that will be justified by the extension of the subway (in the same manner as it applies to the OPA 620 lands.)

For these reasons, we request that a holding designation or some other phasing mechanism be considered to ensure that the ultimate achievable densities in OPA 620 will not be met until:

- 1) Funding for the subway extension has been committed;
- 2) The environmental assessment for the new east-west road north of Steeles Avenue and any other roads are initiated;
- 3) The City of Vaughan's Master Environmental Servicing Plan is completed; and,
- 4) The City of Vaughan's master plan for Recreation, Culture, Parks Buildings and Facilities evaluates needs in the OPA 620 area.

In addition, the City of Toronto has three specific comments on the text of OPA 620 regarding the implementation policies for community services:

- 1) Section 37 policies need to be clarified to provide for the securing of community services and facilities over and above parks, neighbourhood squares, schools and libraries (instead of over and above the "required" community services and facilities);
- 2) The future needs assessments for community services will be carried out in accordance with policy 3.3.1(e). It would be helpful to explicitly link the use of Section 37 as set out in policy 3.1(g) to community services needs as may be determined through policy 3.3.1(e), by including an appropriate reference in 3.1(g); and,
- 3) Policy 8.2(b) sets out criteria that the City of Vaughan will use in evaluating development proposals. The availability and adequacy of community services should be one such criterion. We recommend that a new criterion (ix) be added to 8.2(b) as follows: "(ix) availability and adequacy of community services to serve the proposed development."

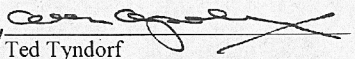
As we move forward with the York University Secondary Plan Update, the Toronto City Planning Division will be recommending these types of mechanisms to ensure appropriate

infrastructure capacity exists when development proceeds. We plan to present the new plan to City Council in mid 2007.

Thank you for this opportunity to provide input into this consideration of OPA 620. We look forward to continuing to work together to develop a planning framework for both sides of Steeles Avenue that will lead to an integrated and sustainable transit-supportive community in the centre of the GTA.

If you have any questions or require addition information, please do not hesitate to contact Tom Keefe, Director of Community Planning, North York District at (416) 395-7170.

Regards,


Ted Tyndorf
Chief Planner and Executive Director

C.c. Diana Birchall, Director, Policy Planning
Urban Design Department, City of Vaughan