



**STAFF REPORT
ACTION REQUIRED**

City of Vaughan's Yonge-Steeles Corridor Secondary Plan – Request for Direction Report

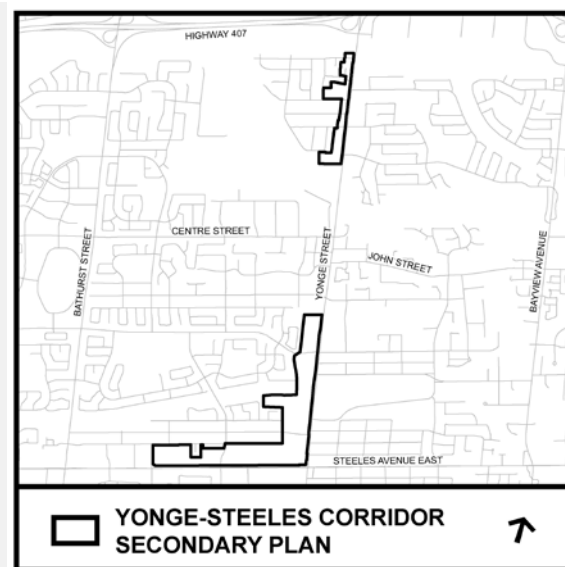
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|--------------------------|------------------------------------------------------------|
| Date: | April 9, 2018 |
| To: | Planning and Growth Management Committee |
| From: | Chief Planner & Executive Director, City Planning Division |
| Wards: | N/A |
| Reference Number: | PL111184 |

SUMMARY

In 2008 the City of Vaughan initiated a study to develop an urban design and land use framework for the lands on the west side of Yonge Street from Steeles Avenue to Highway 407 and on the north side of Steeles Avenue West between Yonge Street and Hilda Avenue. This study resulted in the Yonge-Steeles Corridor Secondary Plan which was adopted by the City of Vaughan's Council on September 7, 2010. Subsequent to the City of Vaughan's adoption, the Council of the Regional Municipality of York (York Region) failed to make a decision on the Secondary Plan within the timeframe prescribed by the *Planning Act* and the Secondary Plan was appealed by a number of parties.

At Council's meeting of December 5, 6, 7 and 8, 2017, the City Solicitor was directed to seek party status for the purpose of any mediation that occurs as part of the Ontario Municipal Board (OMB) hearing regarding the Secondary Plan and to report back to Council on any modifications and to seek further instructions. The Ontario Municipal Board is now known as the Local Planning Appeal Tribunal (LPAT) and will be referred to as such in the remainder of this report.

The purpose of this report is to update Council on the outcome of the motion filed by the City seeking party status and



recommends that the City Solicitor, together with City Planning staff and other appropriate staff, attend the LPAT hearings regarding the City of Vaughan's Yonge-Steeles Corridor Secondary Plan in order to support the City's interests and in support of the Secondary Plan in its current form.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor, together with City Planning staff and other appropriate staff, to attend the Local Planning Appeal Tribunal hearing regarding the City of Vaughan's Yonge-Steeles Corridor Secondary Plan in order to support the City's interests as follows:
 - a) as a participant for Phase 1 of the hearing;
 - b) to seek party status for Phase 1 of the LPAT hearing should the proposed Yonge-Steeles Corridor Secondary Plan be amended from its current form, should the City Solicitor and staff deem it necessary in consultation with the abutting local ward councillor; and
 - c) to attend the LPAT hearing as a party for all subsequent phases of the hearing.

Financial Impact

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

DECISION HISTORY

On September 7, 2010 the City of Vaughan adopted the Yonge-Steeles Corridor Secondary Plan. The Secondary Plan was subsequently forwarded to York Region in accordance with the provisions of the *Planning Act* for approval. A number of appeals were filed due to the York Region Council not making a decision within the time frame prescribed by the *Planning Act*.

At its meeting of January 21, 2016, the Council of the Regional Municipality of York directed York Region staff to attend any LPAT hearing in support of approval of the Secondary Plan, subject to some modifications. The decision can be found at <http://www.york.ca/wps/wcm/connect/yorkpublic/88b80c68-a690-493a-9421-c76895c93a53/jan+14+vaughan+ex.pdf?MOD=AJPERES>.

At its December 5, 6, 7 and 8, 2017 meeting, City Council considered a motion by Councillor Filion regarding City representation at LPAT hearings regarding the City of Vaughan's Yonge-Steeles Corridor Secondary Plan. Council directed the City Solicitor, and appropriate staff, to seek party status for the purpose of participating in any mediation held as part of the hearing "in order to support the City's interests and in support of the densities in the Yonge-Steeles Corridor Secondary Plan".

Further, the City Solicitor was directed to report back to City Council should modifications be made to the Secondary Plan due to mediation or further discussions between the parties.

City Council's decision can be found at

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.NY26.57>

Further to Council's decision at its meeting of December 5, 6, 7 and 8, 2017, City Legal filed a motion for party status with the OMB requesting party status regarding the Secondary Plan. That motion was heard by the Board on March 9, 2018 and on March 21, 2018 the Board issued a decision and Order which can be found at <http://www.omb.gov.on.ca/e-decisions/pl111184-Mar-21-2018.pdf>.

That decision provided participant status to the City of Toronto for Phase 1 of the hearing and party status for all subsequent phases. It also allowed the City of Vaughan and York Region to discuss any without prejudice discussions they have with the appellants, including discussions as part of any formal mediation.

ISSUE BACKGROUND

Yonge-Steeles Corridor Secondary Plan

The intersection of Yonge Street and Steeles Avenue has been identified as a Gateway Hub by Metrolinx's The Big Move and Yonge Street has been identified as a Regional Corridor between Steeles Avenue and Highway 407 in York Region's Official Plan. These areas are intended to accommodate future intensification, in part due to an expected extension of the TTC's Line 1 into York Region. In response to this, the City of Vaughan commenced a study and on September 7, 2010 adopted the Yonge-Steeles Corridor Secondary Plan.

Subsequent to Council adoption, the Secondary Plan was forwarded to York Region Council in accordance with the provisions of the *Planning Act*. As York Region did not make a decision on the Secondary Plan within the timeframes prescribed by the *Planning Act* a number of appeals were filed.

As part of York Region's review of the Secondary Plan a number of modifications were made subsequent to the appeals being filed which were also endorsed by City Council for Vaughan. These modifications, which were forwarded to the LPAT, include a phasing of residential development by introducing pre and post subway population caps for the Secondary Plan area. These caps were determined through a Regional Transportation Study led by York Region to which the Cities of Toronto, Vaughan and Markham provided input.

Site and Surrounding Area

The Secondary Plan encompasses two areas within the City of Vaughan, generally to the north and west of the Yonge Street and Steeles Avenue intersection. This includes the lands along the north side of Steeles Avenue West between Yonge Street and Hilda Avenue.

While the lands subject to the Secondary Plan are within the City of Vaughan, the Steeles Avenue West right-of-way, including the boulevard on the north side of the street, is within, owned and maintained by the City of Toronto.

COMMENTS

Hearing Phasing

The OMB hearing on the Yonge-Steeles Corridor Secondary Plan has been organized into phases. The first phase of the hearing is intended to deal solely with the population permitted prior to and after construction of the extension of the TTC's Line 1 (Yonge subway line). This hearing is scheduled to begin June 11, 2018.

All other matters of the Secondary Plan are intended to be dealt with in a subsequent phase, including issues of density and height.

City Status at the OMB Hearing

City Council originally directed staff to seek party status for the purpose of mediation. However, no mediation dates have been set and staff are unaware of any discussions surrounding the possibility of mediation. As such, it is appropriate to consider the role the City should play in a contested hearing.

As discussed above, the first phase of the hearing is to deal solely with the proposed population caps which should be implemented prior to and after an extension of Line 1 into York Region. The current caps were identified partly through a transportation study into which the City provided input. Staff do not have concerns with the caps proposed by York Region and, as such, participant status for the first phase of the hearing would be appropriate. Participant status will allow the City to remain informed while playing a limited role in the hearing. Should the caps be increased significantly, the City Solicitor should seek party status as contemplated by the decision and Order of the Board to ensure that it does not have negative implications on the City's infrastructure or long term planning vision.

Future phases of the hearing will deal with all other policies, including density and height. Staff support the densities and heights in close proximity to Steeles Avenue West currently proposed in the Secondary Plan. Toronto's Official Plan includes policies which require applications to be informed by the existing and planned context of an area. It is in the City's interests to ensure that the level of development on the north side of Steeles Avenue West is contextually appropriate and is not significantly increased beyond that currently contemplated by the Secondary Plan. As such, party status is appropriate for the second phase of the hearing to ensure that an appropriate planned context is created for the north side of Steeles Avenue West.

Conclusion

The LPAT hearing regarding the City of Vaughan's Yonge-Steeles Corridor Secondary Plan has been organized into two phases, the first of which will deal solely with population caps and the second which will deal with all other aspects of the Secondary Plan. Provided

that minimal or insignificant changes are made to the population caps, participant status by the City of Toronto is appropriate for Phase 1 of the hearing. The City should retain party status for all future phases of the hearing.

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SIGNATURE

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