

COMMITTEE OF THE WHOLE FEBRUARY 2, 2004

VAUGHAN CENTRE SECONDARY PLAN: NORTH-EAST JANE RUTHERFORD STUDY TERMS OF REFERENCE FILE NO. OPA 607

Recommendation

The Commissioner of Planning in consultation with the Director of Purchasing recommends:

1. THAT the Terms of Reference for the Vaughan Centre Secondary Plan: North-East Jane Rutherford BE APPROVED; and,
2. THAT notwithstanding City purchasing policies and procedures, the firm J.H. Stevens, Planning + Development Consultants, including sub-consultants, BE RETAINED at a cost not to exceed \$100,000 to complete the Study as per the approved Terms of Reference.

Purpose

Further to Council's direction to undertake a secondary plan study for three properties northeast of Jane Street and Rutherford Road, a Terms of Reference has been prepared for Council's consideration and approval.

Background - Analysis and Options

On January 26, 2004, Council resolved to undertake a comprehensive land use study for the lands within the Vaughan Secondary Plan Study Area, northeast of Jane St and Rutherford Road.

The attached draft Terms of Reference would form the basis for the study and resulting Official Plan Amendment.

The key components of the Terms of Reference include:

- retaining a planning consultant to assimilate the input of departments, agencies and sub-consultants and to facilitate meetings with the public and Council,
- retaining sub-consultants, for example, respecting noise issues, and
- a focused workplan that targets an Official Plan Amendment to be brought forward for a statutory public hearing in the spring of 2004 and a final report in June 2004.

With respect to the assignment of consultant services, staff has considered that the typical time frame for retaining external consultant expertise through the City's purchasing policies and procedures could take as long as three (3) months. It is expected that it could take approximately five (5) months to carry out the necessary studies, public consultation process, and the preparation of interim and final reports and an Official Plan Amendment. This study and official plan amendment shall include necessary work to be carried out to address the matters identified in OPA 600. It is anticipated that this work can be carried out for a cost not to exceed \$100,000. In light of the Ontario Municipal Board Hearing related to one property within the study area scheduled to commence on April 6, 2004, and the critical need to assess the area on a comprehensive basis in a timely manner, it is recommended that a qualified planning consultant firm be retained forthwith to carry out the work.

In light of the above, Staff have considered the firm of J.H. Stevens as having the required experience and expertise to carry out this study. Mr. Stevens has significant experience with the City of Vaughan, including the Kleinburg-Nashville Community Plan Review and the Maple Valley

Plan. In anticipation of Council's concurrence with the recommendation of this report, Staff has discussed this potential assignment with Mr. Stevens and has determined the availability of this firm, should Council so direct.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities set by Council insofar as Vaughan Vision 2007 encourages managed growth through the implementation of OPA 600. Due to the timing of the development application and the Ontario Municipal Board hearing, the necessary resources have not yet been allocated in the draft 2004 operating budget.

Conclusion

In accordance with the requirement of OPA 600, Council has directed a comprehensive land use study be undertaken for the Vaughan Centre Secondary Plan Area, northeast of Jane Street and Rutherford Road, as a basis for preparing an Official Plan Amendment to provide an urban designation and development policies for the lands. Terms of Reference have been prepared for Council's consideration and approval to commence the study.

As Official Plan and Zoning amendment applications for one property have been appealed to the Ontario Municipal Board and the hearing will commence on April 6, 2004, a timely resolution to the area's planning structure is required. Consequently, it is recommended that, notwithstanding the City's purchasing policies and procedures, the retention of a consultant be single sourced, thereby saving approximately three (3) months time in the study schedule, and enabling conclusion of the study by June 2004. Should Council concur, the Recommendation section of this report can be adopted.

Attachments

1. Draft Terms of Reference

Report prepared by:

Rob Gibson, Senior Planner – Policy
Clement Chong, Planner

Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

WAYNE MCEACHERN
Manager of Policy

/CM

ATTACHMENT NO. 1

Vaughan Centre Secondary Plan Northeast Jane/Rutherford

DRAFT TERMS OF REFERENCE

1. BACKGROUND

On January 26, 2004, Council directed Staff to undertake a comprehensive land use study for the lands within the Vaughan Centre Secondary Plan Area, east of Jane Street and north of Rutherford Road, and to prepare an implementing Official Plan Amendment. The terms of reference for this study was to be prepared for Council's consideration as soon as possible. This is the terms of reference for that land use study.

The study area is identified in Attachment 1. These lands are part of the Vaughan Centre Secondary Plan Area, as defined by OPA 600 and as designated "Rural" by OPA #4, as amended. The lands are zoned A -Agricultural Zone by By-law-88, subject to site specific Exceptions 9(669) and 9(801).

The City of Vaughan's first major growth management plan, OPA 400, adopted by Council in 1994 and approved by the Minister of Municipal Affairs and Housing in 1995, first designated the area as the Vaughan Centre Secondary Plan Area. OPA 400 identified the context for Vaughan Centre and the function it was to serve in the overall planned growth of the City. The role of the area was to serve as an urban centre, secondary to that of the Regional Centre - the Vaughan Corporate Centre. Schedule "A" of OPA 400 identified the area, and Section 4.1.ii. provided that the Vaughan Centre:

"...shall be the subject of studies respecting urban design, land use integration, transportation and public transit, servicing, municipal and community facility needs and requirements, to ensure both Centres will develop in a manner consistent with the City's policy and development objectives."

These requirements for secondary plans were also carried forward into the policies of OPA 600.

While outside of the employment area, OPA 450, the City's Employment Area Growth Management Plan, also makes reference to the Vaughan Centre Secondary Plan and its role as a centre in the City's planned structure.

To substantially fulfill the requirements of OPA 400, planning analysis was carried out on behalf of the landowners for the portion of the Vaughan Centre Secondary Plan that is west of Jane Street. The results were implemented through the approval of OPA 483 for this area. For this planning analysis, no supporting studies or land use designations were considered or identified for the three subject properties east of Jane Street.

Consequently, OPA 483 included the lands northeast of Jane Street and Rutherford Road as a portion of the Vaughan Centre identified by OPA 400, and subject to a policy deferring designation of the lands pending a future secondary plan study.

In the review and update of OPA 400, the designations in OPA 483 west of Jane Street were incorporated within the subsequent approval of OPA 600. However, lacking the full studies required by OPA 400, the lands east of Jane Street were left with the underlying designation in OPA 4. As a result, there is a need to conduct a land use study for the three properties east of Jane Street to fulfill the OPA 600 requirement for a secondary plan. It is noted that in the approval of OPA 600, the Vaughan Centre Area was expanded to include the shopping centre district (Attachment 2) southwest of Jane Street and Rutherford Road.

On January 21, 2003, and February 27, 2003 the property owner Jane Ruth Developments Inc. submitted Official Plan and Zoning amendment applications respectively to re-designate and rezone the 5.54ha property at the northeast corner of Jane Street and Rutherford Road. The proposed development was for five (5) apartment buildings, ranging between 5 and 12 stories in height and totalling 808 residential units. The application was subsequently amended to permit three (3) condominium apartment buildings and 40 townhouses for a total of 784 residential units.

The owner filed an appeal to the Ontario Municipal Board (OMB) for the subject applications on the basis that Council did not consider the applications within the timeframes stipulated under the Planning Act. Pre-hearings were held on October 29, 2003 and on January 28, 2004, at which time legal counsel for the City requested an adjournment of the hearing scheduled for April 6 to May 7, 2004, pending completion of this study. The OMB decided to proceed with the original hearing date and that an issues list be identified prior to the hearing. As the applications before the Board do not include the entire defined secondary plan area, this study is required to provide a planning framework and designation for the entire planning area.

2. PURPOSE

The purpose of this project is to fulfill the requirements of Section 4.1.1. of OPA 600 by completing the planning review and designation of the portion of the Vaughan Centre Secondary Plan on the east side of Jane Street. The required information related to urban design, servicing, and municipal and community facility needs can be largely completed with assistance of appropriate City of Vaughan Staff and outside agencies. Under a Staff Project Manager, a lead Planning Consultant is required to prepare land use options based on professional expertise and the input of City departments, external sub-consultants together with the results of a public consultation programme. The land use options will be used as a basis for evaluation and the determination of a preferred land use option to be defined in a final report. It is expected that the key external sub-consultants will provide expertise in the areas of noise and transportation.

Based on the final report as approved by Council, the Consultant will prepare the implementing Official Plan Amendment with the review assistance of Staff. Any follow-

up implementing documents (e.g. zoning by-law, urban design guidelines) will be prepared by Staff, as necessary.

3. GOAL

To prepare a secondary plan analysis and comprehensive planning report as the basis for an Official Plan Amendment that will manage and direct appropriate land uses in the Study Area identified on Attachment 1.

4. OBJECTIVES

- To review the existing and historical land use plans and policies for the study area and the surrounding land use context.
- To identify and assess any changes to the land use vision for Vaughan Centre, the study area, and its' surrounding context.
- To identify current and planned transportation constraints and opportunities.
- To assess the potential affect of CN Rail policies on the development of sensitive land uses.
- To assess land use compatibility, and appropriate scale and built forms.
- To review the current and planned provision of community facilities and infrastructure.
- To consult with area residents, landowners and agencies, and seek their input through public information meetings, and meetings with Staff and Council.
- To identify new or emerging land use policy objectives that may provide a context for the study area.
- To identify and assess various land use options, as a basis for identifying the most appropriate option and designation.
- To produce planning policies that will manage and direct future development in the study area with respect to land use integration, transportation and public transit, servicing, municipal and community facility needs and requirements.

5. PROPOSED WORK PLAN

The study is expected to take the following key steps:

Step 1) Project Initiation Meeting:

Confirm:

- terms of reference
- workplan/schedule/fees
- sub-consultants and allocation of resources
- available data and reports
- project management, staff contacts

Step 2) Conduct Background Research

Consult and/or meet with agencies/City departments:

- analyze and summarize existing conditions
- complete peer review of noise studies
- summary of existing and emerging planning policies
- prepare draft criteria

Deliverable: Draft Phase I Background Report

Step 3) Develop Land Use Options

Prepare range of Land Use Options

Circulate to departments and agencies for comment

- investigate and analyze issues raised in draft report
- prepare draft report, including recommendations

Deliverable: Draft Phase II Land Use Options Report

Step 4) Present Phase I and II Reports

Present Background and Land Use Options to:

- Committee of the Whole Working Session
- Public Open House

Deliverable: Draft Phase II Land Use Options Report

Step 5) Develop Recommended Land Use Plan

Assess Land Use Options against criteria
Prepare draft final report
Provide comments on Staff draft of Official Plan Amendment
Circulate draft material to departments and agencies for comments

Deliverable: Draft final report and Official Plan Amendment

Step 6) Present Recommended Land Use Plan

Present draft final report and OPA to:

- Committee of the Whole Working Session
- Statutory public hearing

Incorporate input and finalize the report and Official Plan Amendment

Deliverable: Final report and Official Plan Amendment.

6. ESTIMATED TIMING

It is expected that, once retained, it will take approximately two (2) months to complete the first three steps of the work plan, and a further three (3) months to produce the final report and Official Plan Amendment. This timing would result in a statutory public hearing being held in May of 2004, and a final report and draft Official Plan Amendment being presented to Council in June of 2004.

7. REPORT FORMAT

The final written report and Official Plan Amendment submitted shall consist of the following:

- eight (8) bound copies in an 8 1/2" X 11" format
- one unbound black-and-white reproducible copy
- an electronic file (disc or e-mailed) in Microsoft Word
- an executive summary

8. IMPLEMENTATION

Implementation of the report's recommendations and Official Plan Amendment and other supporting documents (e.g. zoning by-law) shall be the responsibility of the City of Vaughan and its Staff. The consultant may, subsequent to the production of this study, be retained to assist with issues arising from implementation.

9. APPROVALS

In the event of appeals against any implementing Official Plan Amendment, it will be the responsibility of the consultant to attend and give evidence in support of its recommendations. The consultant's rates for attendance at such hearings will be additional to the budget for the study and will be established in the initial meeting.

10. PRESENTATIONS

In addition to the approximately fifteen (15) meetings noted in the workplan above required to complete the study, additional meetings may be initiated by the Consultant or the City to address issues that may arise throughout the study. The consultant's rates for making such additional meetings and/or presentations will be set out in the initial meeting.

11. DISBURSEMENTS OF FEES

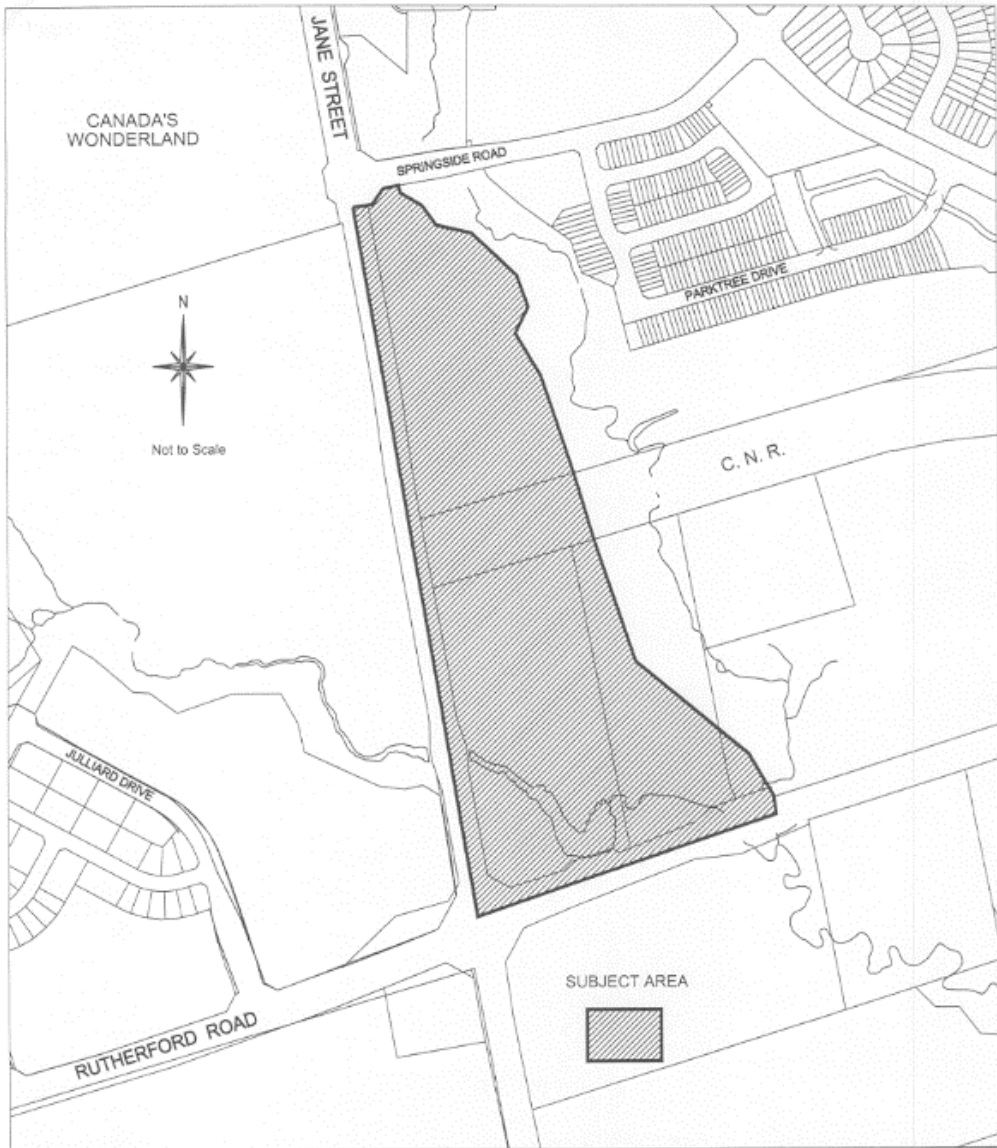
The consultant will be required to submit for the approval of the Commissioner of Planning, a payment schedule prior to commencing the project. There will be a 15 % holdback on the disbursement of fees. At the successful completion of the deliverables of Steps 3, 5 and 6, the holdback will be remitted to the consultant. All proposals are to include GST in the calculation of the upset cost of \$100,000.

12. CONFLICTS

In the initial meeting the consultant shall indicate the number and type of projects he/she is currently undertaking which may conflict with the conduct of this study. If City Staff are of the opinion that a conflict exists, then the consultant's work will end and no further disbursements made. This matter may be discussed with Staff at any point during the course of the study.

13. SUPPORTING INFORMATION

A package of background information will be provided to the consultant at or prior to meeting #1. The Project Manager assigned from the Planning Department - Policy Division will be available throughout the study.



Study Area

Lot 16,
Concession 4

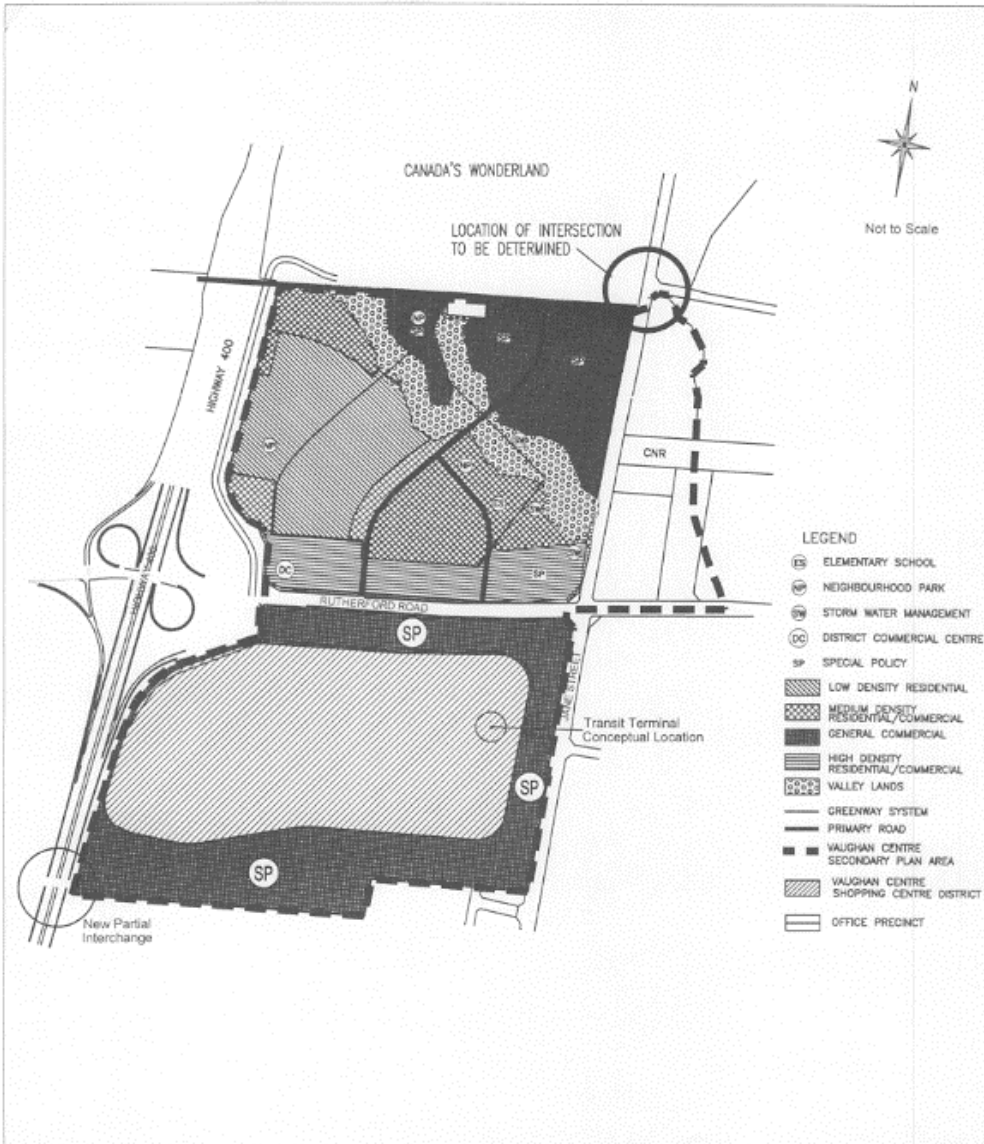
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City of
Vaughan
Community Planning Department

Attachment

February 2, 2004

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- LEGEND**
- ELEMENTARY SCHOOL
 - NEIGHBOURHOOD PARK
 - STORM WATER MANAGEMENT
 - DISTRICT COMMERCIAL CENTRE
 - SPECIAL POLICY
 - LOW DENSITY RESIDENTIAL
 - MEDIUM DENSITY RESIDENTIAL/COMMERCIAL
 - GENERAL COMMERCIAL
 - HIGH DENSITY RESIDENTIAL/COMMERCIAL
 - VALLEY LANDS
 - GREENWAY SYSTEM
 - PRIMARY ROAD
 - VAUGHAN CENTRE SECONDARY PLAN AREA
 - VAUGHAN CENTRE SHOPPING CENTRE DISTRICT
 - OFFICE PRECINCT

**Vaughan Centre
Secondary Plan Area**

Lot 16,
Concession 4
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Attachment

February 2, 2004

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