

COMMITTEE OF THE WHOLE FEBRUARY 5, 2007

**INITIATION OF COMMUNITY IMPROVEMENT PLAN PROCESS
OFFICIAL PLAN AMENDMENT NO. 620
STEELES CORRIDOR - JANE TO KEELE- SECONDARY PLAN P.2004.95
FILE NO. 15.90**

Recommendation

The Commissioner of Planning recommends:

THAT lands subject to OPA 620 (The Steeles Corridor – Jane to Keele – Secondary Plan), be the focus of a study to prepare a Community Improvement Plan, under the provisions of Section 28 of the Planning Act;

THAT a By-law be enacted providing for the designation of the lands subject to OPA 620 as a Community Improvement Project Area, under the provisions of Section 28 of the Planning Act and;

THAT Staff be directed to prepare a Terms of Reference for the Community Improvement Plan Study.

Purpose

The purpose of this report is to explain the intent of the Provincial legislation permitting area municipalities to designate lands as Community Improvement Project Areas, the appropriateness of applying this approach to lands within the area subject to OPA 620, and the need to undertake a Study to enable the City to utilize the community improvement provisions of Section 28 of the Planning Act.

Economic Impact

This report recommends a change from the priorities previously set by Council and the necessary resources have not been allocated. The Study budget has not yet been determined, and will be submitted when the Terms of Reference are considered by Council. The budget would need to be included in the Policy Planning Department's 2007 Capital Budget.

Location

The Steeles Corridor-Jane to Keele-Secondary Plan area (OPA 620) is bounded by Steeles Avenue on the south and the CN Rail York Subdivision on the north, and by Jane Street on the west and Keele Street on the east.

Background

- In October, 2002, Council retained a consulting team led by the firm 'Urban Strategies Inc.' to conduct the Steeles Corridor – Jane to Keele – Secondary Plan Study.
- On May 29, 2006, a Public Hearing was held respecting draft OPA 620, a secondary plan consistent with the findings and recommendations of the Steeles Corridor – Jane to Keele – Secondary Plan Study.
- On June 26, 2006, Vaughan Council adopted OPA 620.
- On October 24, 2006, the Region of York approved OPA 620.
- Since the approval of OPA 620, a number of landowners have appealed OPA 620 to the Ontario Municipal Board.

PLANNING CONTEXT

Existing Uses

From west to east, the lands subject to OPA 620 include the following uses:

- a vacant site that has approval to develop a mausoleum/crematorium
- a stormwater management pond on Steeles Avenue owned by the City of Vaughan
- the United Parcel Service (UPS) distribution facility
- York Region's vacant 5 acre site acquired for a transit terminal/commuter facility
- a vacant parcel owned by the Glen Corporation
- four older single storey employment buildings
- vacant lands owned by Steeles–Keele Investments Ltd., including a recently-built, 4-storey office building on the northwest corner of Keele Street and Steeles Avenue West.

On the north side of the OPA 620 lands is the Hydro One transmission corridor that is owned by the Province of Ontario. South of Steeles Avenue is the York University campus, and Black Creek Pioneer Village.

Provincial Policy

The Province's Places To Grow Plan, 2006, strongly supports development of more compact communities at transit-supportive densities, requiring compact urban form in conjunction with intensification efforts, to be coordinated with transit services and infrastructure. Municipalities are obliged to delineate urban growth centres in their official plans, and to use infrastructure investment to promote intensification. OPA 620 correctly anticipated the direction of Provincial policy through its policy framework which is consistent with and strongly supportive of the Places To Grow Plan.

Regional Official Plan

As the upper tier planning document that provides the framework for achieving the Region's urban structure, the Secondary Plan must conform to the York Region Official Plan (ROP). The ROP currently designates the amendment area as a Regional Corridor. The ROP includes policies in Section 5.4. – "Corridors" encouraging area municipalities to comprehensively examine such areas to provide opportunities for mixed use and higher densities.

In approving OPA 620, York Region advised that OPA 620 is consistent with and supportive of the Region's OPA 43, with the following commentary: "OPA 620 exemplifies the Region's Centres and Corridors policies. The Secondary Plan facilitates the development of higher density office/commercial and residential uses in a compact urban built form and will help support higher order rapid transit infrastructure and, specifically, the extension of the Spadina subway."

Official Plan Amendment 620

The OPA 620 lands are designated as "Transit Core", "Transit Transition", and "Corridor" by OPA 620, and are subject to appeals to the OMB. OPA 620 envisions a mixed use, high density form of development centered on a future subway station, with street-related retail uses at grade, and higher density residential and office uses above. OPA 620 also provides for a subway station, and associated transit facilities, with a 3500-car parking lot to be located in the hydro corridor to the north. Development will include a grid network of local roads, and a primary east-west road along the north side of the lands, connecting Jane Street to Keele Street. The road section between Jane Street and the Regional Commuter facility is currently the subject of an Environmental Assessment being conducted by the Region of York (Highway 7 Corridor and Vaughan North-South Link Public Transit Improvements). The road section between the

Regional Transit facility and Keele Street will be secured through a Class Environmental Assessment to be initiated at a later date.

OPA 620 permits development densities of 4.0 FSI on and around the subway station, 2.5 FSI within a 5-minute walking distance of the station, and 1.5 FSI at greater distances from the station. South of Steeles Avenue, the secondary plan for York University is now in preparation and is expected to reflect a similar transit-supportive development vision complementing OPA 620.

One of the main objectives of OPA 620 is to provide a high level of support for public transit service by locating the highest densities in close proximity to the subway station on the planned Spadina subway extension. A portion of the subway station is located on the north side of Steeles Avenue within the proposed CIPA. On March 23, 2006, the Province announced its commitment to the extension of the Spadina subway to the Vaughan Corporate Centre at Highway 7.

Zoning

Almost the entire OPA 620 area is zoned Prestige Employment Area Zone - EM1 except for 1) the northeast corner of Jane and Steeles, zoned C1 by a 1998 OMB decision permitting two (2 and 4 storey) buildings for a crematorium and columbarium; and 2) on a property which is the site of an existing multi-unit building, an exception permits eating establishments, banks and financial institutions, with or without a drive-through, and business and professional offices.

As current zoning is now inconsistent with the intent and policies of OPA 620, the zoning will be amended in association with future private development applications implementing OPA 620.

Development Applications

The OMB has approved development of a mausoleum/crematorium on a site on the northeast corner of Jane Street and Steeles Avenue. The owner has not yet submitted a site plan application to proceed with this development.

United Parcel Service (UPS), owner and operator of a large parcel distribution facility on the lands just east of Jane Street, has submitted a site plan application to permit a significant expansion of their building eastward into the vacant portion of their site. This vacant area has also been identified as a possible location for a part of the proposed transit station facilities, and is subject to the EA currently being completed for the Spadina subway extension. The City is in discussions with UPS regarding their proposed expansion.

Steeles-Keele Investments Ltd. (SKI) is the owner of approximately 16 hectares, which constitutes the eastern third of the Amendment Area. Construction of a 4-storey office building on the northwest corner of Keele and Steeles is already complete. In addition, the owner wishes to proceed with approvals to develop the balance of the property, which could include high density mixed use development with a range of office, commercial, and residential uses. Staff have met with the owner and his architect several times, and continue to work with them toward a master phasing plan and subsequent development application.

The owners of each of the properties noted above have appealed OPA 620 to the OMB.

Implementation of OPA 620 and Community Improvement Plans

The implementation of OPA 620 is expected to occur over a number of years. To fully achieve the envisioned development, the Spadina subway extension will be required to support the scale and density provided for by the Plan. In addition, there are a number of issues associated with the presence of existing development, servicing and road infrastructure requirements, arrangement of

land ownership, parcels and uses, and development phasing issues, which need to be addressed to enable the transformation of the area.

OPA 620 includes a number of policy tools to facilitate its implementation. Section 8.7 of OPA 620 already expresses the City's intention to identify the subject lands as a Community Improvement Area under Section 28 of the Planning Act, and the policies associated with its application to the area.

Section 28 may be applied to areas which display any or all of the following conditions:

- inadequate municipal infrastructure, including piped services, roads and streetscapes, public parking facilities and/or stormwater management facilities;
- inadequate community services such as social services, public recreational/cultural facilities, and public open spaces;
- building and/or property deterioration to the extent that it negatively affects the overall image of the area;
- faulty arrangement of parcels and uses in an area;
- development at densities that are too low to support the planned transit facilities; and
- site contamination levels that require environmental site remediation prior to development.

Section 28 offers municipalities a variety of tools intended to facilitate development and redevelopment in keeping with municipal planning objectives. Under Section 28, municipalities are empowered to engage in the following activities:

- acquire, hold, clear, grade or otherwise prepare land for community improvement activities;
- construct, repair, rehabilitate or improve buildings on land acquired or held by it in conformity with the Community Improvement Plan;
- sell, lease or otherwise dispose of land and any buildings acquired or held by it in conformity with the Community Improvement Plan;
- make grants or loans to the registered owners or the assessed owners to pay for the whole or any part of the cost of developing or rehabilitating such lands and buildings in conformity with the Community Improvement Plan;

In addition, effective January 1, 2007, Bill 51 has expanded the scope of this legislation to permit the following:

- Allow municipalities to include new building construction related to energy efficient uses of lands, buildings, structures and facilities within the eligible costs of a Community Improvement Plan;
- Allow municipalities to register grant or loan agreements on the title of the land so municipalities can increase their ability to enforce agreements, and developers can increase their ability to secure upfront financing for their projects; and
- Allow upper-tier municipalities to participate in lower-tier community improvement grant or loan programs that would increase lower-tier capacity to stimulate private sector development activities through their financing programs.

Also, the *Planning Act* now allows upper tier municipalities to adopt Community Improvement Plans for matters, which have been prescribed in Ontario Regulation 550/06, to include infrastructure (which includes communication systems, electric power systems, transportation corridors and facilities, waste management and water, wastewater and stormwater works and associated facilities), land and buildings within and adjacent to existing or planned transit

corridors that have the potential to provide a focus for higher density mixed use development and redevelopment and affordable housing.

To utilize the Section 28 legislation, a municipal bylaw is required which designates a Community Improvement Project Area for which a Community Improvement Plan may be prepared. Once the Community Improvement Plan is approved, it provides the City with the opportunity to utilize the full array of incentives and other measures afforded under Section 28, to facilitate development in keeping with the new transit-supportive vision of OPA 620.

The area to be designated as a Community Improvement Project Area is proposed to include the entire area which is now subject to OPA 620. Study is required to carefully consider the opportunities afforded by the Community Improvement legislation, and the opportunities it provides to facilitate development, and to prepare a Community Improvement Plan tailored to the needs and circumstances of the OPA 620 lands.

The subway extension, and location of a subway station and its associated facilities within the secondary plan area, presents the City with a unique development opportunity. However, there are many challenges to be addressed before the potential of this opportunity can be fully realized. With the exception of the new office building at Keele and Steeles, none of the area's existing development is consistent with the land use and density provisions articulated by OPA 620. None of the required road network is now in place. The OPA 620 lands are largely unserved and are in need of comprehensive servicing solutions to facilitate their development. (Note: The City's Development Engineering Department is currently engaged in work on a comprehensive stormwater management solution for the OPA 620 lands.) There are also issues associated with the arrangement of some existing uses and land ownerships which could delay or impair the opportunity to fully achieve the OPA 620 vision. Phasing of private development, its coordination with construction of new infrastructure, and the equitable sharing of associated costs by benefiting private development must also be addressed.

The Community Improvement legislation will give the City important tools to resolve the key development issues, and enable the transformation of the OPA 620 lands. Application of the community improvement legislation will allow the City to facilitate the transition of the area from its current low density industrial use to a development form and scale complementing and justifying the considerable public investment in subway infrastructure. The initial steps are to approve a bylaw designating OPA 620 as a Community Improvement Project Area, draft the Terms of Reference for the Community Improvement Plan Study, and retain consulting assistance to complete the work. OPA 620 has already provided a comprehensive policy framework to guide the area's development. The CIP Study will focus on developing a strategy based on the CIP legislation, to begin implementing the plan.

Relationship to Vaughan Vision 2007

This report and the draft OPA will serve to implement priorities previously set by Council in Vaughan Vision 2007. The following sections of Vaughan Vision are applicable:

Section 3 (Transportation and Transit Infrastructure):

- 3.1.1. connect the TTC Spadina subway extension project to Vaughan
- 3.2. solutions to traffic gridlock
- 3.2.1. the Region of York and other agencies to ensure higher order transit
- 3.2.2. land use designation and urban form to support transit usage
- 3.2.3. growth that does not outpace the road network
- 3.2.4. regional and provincial initiatives on transportation infrastructure
- 3.2.5. bicycle and pedestrian networks

Conclusion

OPA 620 has defined a vision and policy framework to guide the future development of the Steeles Corridor lands. OPA 620 has also identified the subject lands as a Community Improvement Area under Section 28 of the Planning Act. However, there are a number of issues which must be resolved to enable the desired form of development. The Community Improvement legislation can provide the City with essential tools to address these issues.

Staff support the initiation of a Community Improvement Plan Study. It is recommended that a by-law be enacted designating the OPA 620 lands as a Community Improvement Project Area, the Terms of Reference be prepared for Council consideration, and consulting services be retained to complete the Study and prepare the Plan. Upon completion, the Study would be followed by submission of the Community Improvement Plan to a Public Hearing, prior to Council approval of the Plan. These steps will give the City the necessary tools to facilitate the transition of the lands in keeping with the OPA 620 vision.

Attachments

1. Schedule A – Land Use and Density, OPA 620
2. Schedule B – Conceptual Street Network, OPA 620
3. Schedule C – Conceptual Open Space Network & Public Amenities, OPA 620

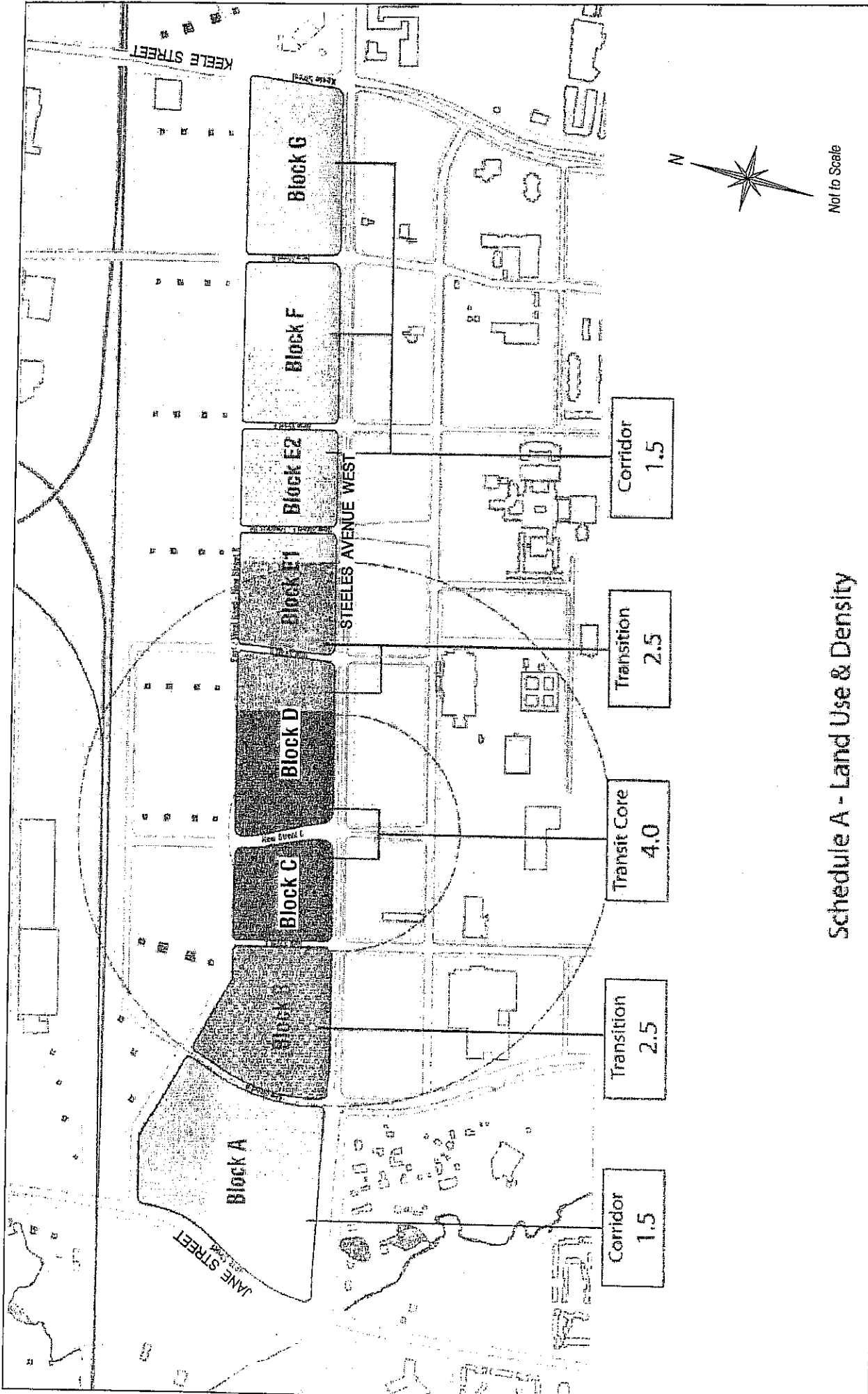
Report prepared by:

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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

DIANA BIRCHALL
Director of Policy Planning/Urban Design



Not to Scale

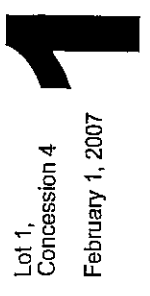
Schedule A - Land Use & Density

Steeles Corridor - Jane St. to Keele St. - Secondary Plan (OPA 620)



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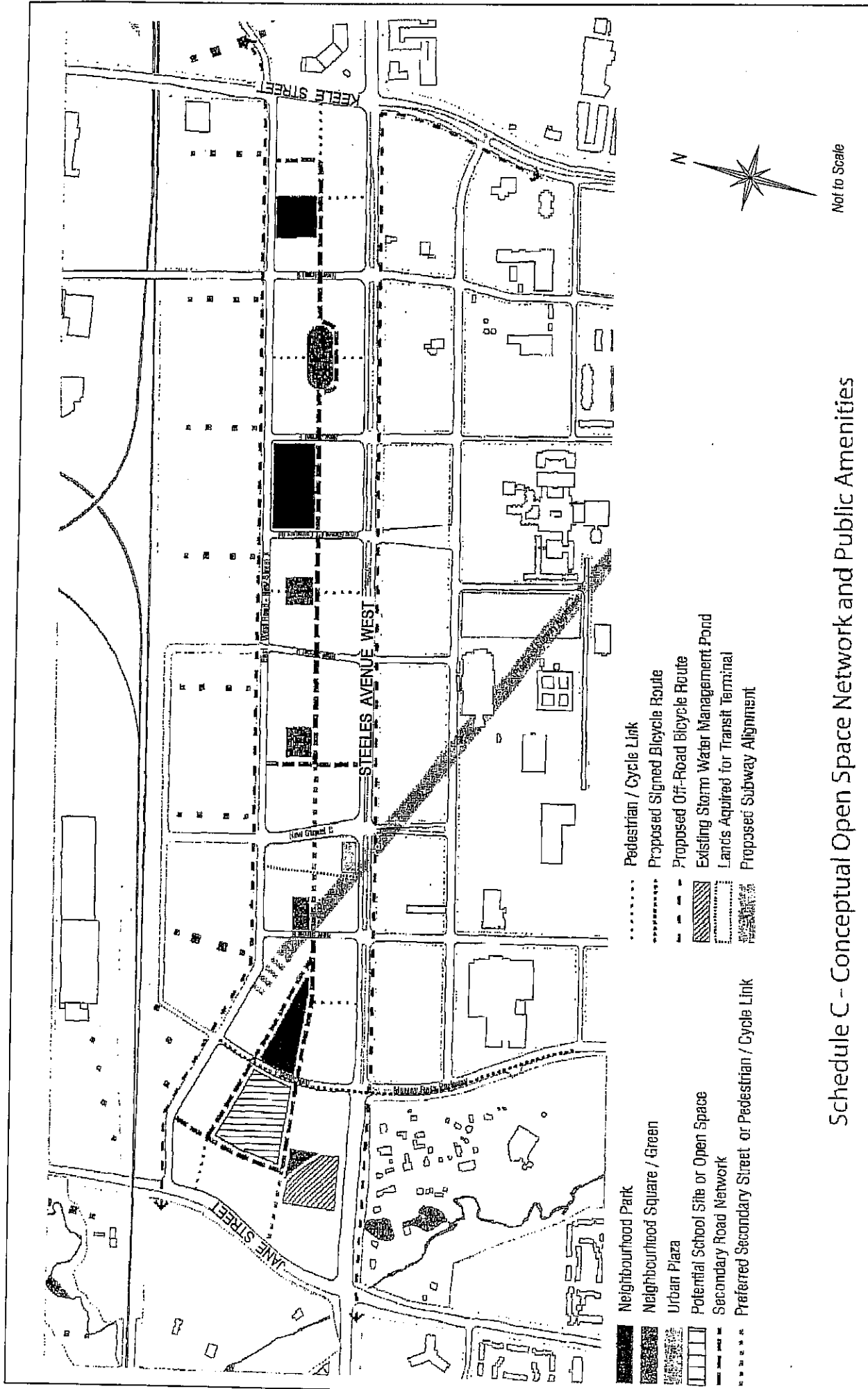
Attachment



Lot 1,
Concession 4

February 1, 2007

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- Neighbourhood Park
- Neighbourhood Square / Green
- Urban Plaza
- Potential School Site or Open Space
- Secondary Road Network
- Preferred Secondary Street or Pedestrian / Cycle Link
- Pedestrian / Cycle Link
- Proposed Signed Bicycle Route
- Proposed Off-Road Bicycle Route
- Existing Storm Water Management Pond
- Lands Acquired for Transit Terminal
- Proposed Subway Alignment

Schedule C - Conceptual Open Space Network and Public Amenities

**Steeles Corridor - Jane St. to
Keele St. - Secondary Plan
(OPA 620)**



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