

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 27, 2011

Item 1, Report No. 39, of the Special Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on September 27, 2011, as follows:

By approving:

- 1) ***That the recommendation contained in Item 70YR to Attachment 1, Part B: Vaughan Official Plan 2010 (Volume 1) – Summary of Respondents Requests/Staff Comments and Recommendations, (Item 1, Special Committee of the Whole Report No. 39), be amended by deleting recommendation 1 and replacing it with the following:***
 - 1.a) ***Schedule 14-C “Areas Subject to Site Specific Plans” of VOP 2010 be amended to show the subject lands, recognizing that it is subject to site specific policies; and***
 - b) ***That the site specific Official Plan policies recommended in the Special Committee of the Whole Report 39 of September 12, 2011, be further reviewed and amended as appropriate, for addition to Section 13 of Volume 2 (VOP 2010) for consideration by Council as part of the forthcoming report to Council on Volume 2 of the Vaughan Official Plan.”;***
- 2) ***That recommendation 1m) be replaced with the following:***

City staff be directed to report back to the Committee of the Whole meeting of October 25, 2011, on which lands they deem appropriate for re-designation to “Commercial Mixed Use” for the properties fronting on the east side of Weston Road between Chrislea Road and the south boundary of the Vaughan Mills Secondary Plan area;
- 3) ***That the recommendation contained in Item 83YR to Attachment 1, Part B “Vaughan Official Plan 2010 (Volume 1) – Summary of Respondents Requests/Staff Comments and Recommendations, (Item 1, Special Committee of the Whole Report No. 39), be amended by deleting “no change is recommended” and substituting the following recommendation:***
 - 1.a) ***Schedule 14-C “Areas Subject to Site Specific Plans” of VOP 2010 be amended to show the Block 40 lands currently being considered for an Official Plan Amendment; and***
 - b) ***That the following site specific Official Plan policy be added to Section 13 of Volume 2 (VOP 2010), subject to consideration by Council as part of the forthcoming report to Council on Volume 2 of the Vaughan Official Plan:***

With respect to a land feature identified as the “Peninsula Lands” within the Block 40 proposed Block Plan, the precise limits of the valley land, and development land, in proximity of and inclusive of the “Peninsula Lands” will be established to the satisfaction of the City and the TRCA through the Block Plan process based on studies and criteria as established by the City in conjunction with the TRCA. If it is determined by the City in conjunction with the TRCA that developable land is identified through these studies and in accordance with the criteria prescribed by the City and the TRCA, then the Low-Rise Residential designation will be incorporated as part of the Official Plan Amendment currently being considered for Block 40.
- 4) ***That with respect to recommendation 1g), Section 3.2.3.7 on Modifications to Vaughan Official Plan “Planning-Environmental”, it is recommended that a definition be added for the term, “significant”, in s. 10.2.2 of the VOP as modified from the PPS definition, as follows:***

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Significant means:

- a) *In regard to “wetlands” and areas of natural and scientific interest, an area identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time;*
- b) *In regard to the “habitat of endangered and threatened species”, means the habitat, as approved by the Ontario Ministry of Natural Resources, that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of endangered species or threatened species, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle;*
- c) *In regard to “woodlands”, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; economically important due to site quality, species composition, or past management history; or an area that meets any one of the criteria in policy 2.2.40 of the York Region Official Plan; and*
- d) *In regard to other features and areas in policy 2.1 of the Provincial Policy Statement, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system.*
- e) *It is recommended that all appropriate instances of the term, significant, be italicized.*
- (i) *That policy 3.3.1.1.a be modified, as follows:*
- *replace the reference to policy “3.2.3.7.c” with “3.2.3.7”; and*
 - *add “and policy 3.3.1.4, and to the satisfaction of the Toronto and Region Conservation Authority”.*
- (ii) *That policy 3.3.2.1 be modified by adding the following at the end of subparagraph (a):*
- *except as permitted per the provisions of policy 3.2.3.7 and in accordance with Provincial requirements;*
- (iii) *That policy 3.3.3.1 be modified by adding the following text at the end of subparagraph (a):*
- *except as permitted per the provisions of policy 3.2.3.7 and, in the case of significant woodlands and their vegetation protection zones, the appropriate Regional or Provincial policies shall apply.*
- (iv) *That policy 3.3.4.1 be modified by italicizing the term “significant”, but otherwise maintain the text as provided in the September 12th, 2011 Report to Council.*
- (v) *That the last sentence in the first paragraph of the second text box in s. 3.2.3 be modified as follows:*

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Except as specifically set out in this Plan, development or site alteration will not be permitted in such areas. Significant alteration or expansion of any existing development in such areas will not be permitted except as specifically set out in this Plan.

5) **That recommendation 1h) dealing with Item 21 YR, be replaced with the following:**

“That the recommendation contained in Item 21YR (pertaining to the Ahmadiyya Campus on Schedule 14C), be amended by deleting recommendation 3 of Item 21YR and replacing it with the following:

3.1) *Notwithstanding Policy 9.2.2.11 “Major Institutional” the following uses shall be permitted and such uses shall be associated with and be in support of the primary Place of Worship use, its activities and its community:*

- a) Schools and other Educational Facilities including lecture halls and meeting rooms;***
- b) Libraries;***
- c) Cultural facilities including a community hall;***
- d) Community Centres;***
- e) Recreation Facilities;***
- f) Day Care;***
- g) Media, Broadcasting and Communications Facilities;***
- h) Non-Commercial Hospitality Facilities;***
- i) Residential Units or other Residential Accommodation for Students, Staff, Volunteers and Visitors;***
- j) Offices;***
- k) An Apartment Building;***
- l) A Nursing Home and a Retirement Home;***
- m) Portable buildings for temporary use as offices and classrooms.***

2) *In consideration of all implementing development approvals it is the objective of the City to provide for the long-term evolution of the subject lands as a major institutional use, while ensuring compatibility with the adjacent low-rise, low density residential community, including but not limited to the consideration of building heights and massing, setbacks, landscaping and screening and building placement;”*

6) **That with respect to recommendation 1i), the Spadina Subway, Schedule 10 “Transit Network” be modified by:**

- *Showing the “Subway Extension” as extending north of Highway 7 to correspond with the end of track as defined by the tail track;***
- *Adding a dashed red-line, representing the “Conceptual Subway Extension” extending northeast from the end of track to Jane Street and then heading north parallel to Jane Street;***
- *Terminating the dashed red-line at Pennsylvania Avenue with an arrow pointing to the north; and***
- *That Policy 4.2.2.7 be modified to read: “To support the possible further extension of the Toronto-York Spadina Subway in the Jane Street right-of-way and adjacent properties.”***

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- 7) ***That Council's previous resolution of January 25, 2011 (Item 16, Committee of the Whole Report No. 1) with respect to Section 10.1.1 of VOP 2010, be reaffirmed, by replacing recommendation 1j) with the following:***

In order to achieve orderly, managed growth and development, it is the policy of Council that the preparation of the New Community Areas Secondary Plan will only proceed: After five of the required secondary plans identified under the heading "Required Secondary Plan Areas", as shown on Schedule 14-A, "Areas Subject to Secondary Plans" have been substantially advanced; and the Natural Heritage Network Study has been completed. For the purposes of this policy, "substantially advanced" means that the secondary plans have proceeded to a statutory public hearing under the Planning Act.

- 8) ***That recommendation 1f), dealing with Item 124YR, be replaced with the following:***

"That the report on the site-specific policy in relation to the property located at 8151 Highway 50, in Ward 2, Item 124YR, be received and the site specific policy for this property be approved to recognize the commercial, retail warehouse and other uses permitted by By-law 171-2010 and that such policy be addressed in the Volume 2 report;"

- 9) ***That consideration be given to the redesignation of the lands on the south east side of Jane Street from Rutherford Road to Riverock Gate from "Prestige Employment" to "Commercial Mixed Use", and that these lands be included as part of the Vaughan Mills Secondary Plan Study;***

- 10) ***That recommendation 1c), be replaced, as follows:***

That Item 522YR (west side of Islington Avenue north of Hwy. 407, Ward 2) be deferred to the Committee of the Whole meeting of November 15, 2011, to permit further consultation by staff, the applicant, and any required consultants of the most appropriate land use designation whether low, medium or high rise residential, particularly in light of the proposed Hwy. 407 GO Station immediately to the south;

- 11) ***That recommendation 1l), with respect to lands located near the Steeles Avenue and Islington Avenue intersection, be amended, as follows:***

- (i) ***That the subject lands be redesignated from "Prestige Employment" to "Mid-Rise Mixed-Use" with a maximum height of 8 stories and a maximum density of 2.5 FSI; and, that a policy be added to Volume 2 of VOP 2010 that require a services review of the northwest quadrant of the intersection of Steeles Avenue and Islington Avenue, to address such matters as the availability of Parkland and other services as may be determined, prior to the development of the first site for residential purposes in this quadrant, and be considered in the review of all development applications in this area and that this area be identified on Schedule 14-C of VOP 2010, excluding the parcel of land west of Islington Avenue south of the railway track with an existing residential designation;***

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- 12) ***That Part 2 and Part 3 contained in the Follow-up Report of the Commissioner of Planning, dated September 27, 2011, be approved, as follows:***

PART 2

1. ***The Vaughan Official Plan 2010, (Volume 1) be modified by adding the following policies to Section 2.2.4 “Employment Areas” by inserting the following after policy 2.2.4.1 and renumbering the remaining Section 2.2.4 accordingly:***
 - 2.2.4.2.1.1 ***The lands designated “General Employment”, “Prestige Employment” and “Commercial Mixed-Use” together constitute the City’s “employment area” land supply as defined in the Growth Plan and the PPS.***
 - 2.2.4.2.1.2 ***The City’s employment area land supply is subject to the conversion policies of the Growth Plan and PPS.***
 - 2.2.4.2.1.3 ***Any proposal for additional retail permissions that would exceed the 70/30 percent mix of ‘retail’ to ‘non-retail commercial’ or the addition of residential uses – would be considered a conversion under the Growth Plan and could only be permitted through a municipal comprehensive review conducted by the City in coordination with the Region of York.***
2. ***The following actions be taken with respect to the sites and corridors discussed above:***
 - a) ***The lands at the southeast corner of the Langstaff Road and Weston Road Intersection be redesignated in VOP 2010 from “General Industrial” to “Commercial Mixed-Use”;***
 - b) ***The lands on the north side of Rutherford Road south of the CN Rail Pull-Back Track, flanking west of Melville Road be redesignated in VOP 2010 from “Commercial Mixed-Use” to “Prestige Employment”;***
 - c) ***The lands on the west side of the Highway 7 and Highway 27 Intersection be redesignated in VOP 2010 from “Prestige Employment” to “Commercial Mixed-Use” as per paragraph 1 of Part 1;***
 - d) ***The lands south of Highway 407, east side of Dufferin Street along Caraway Drive and Rocco Parkway retain the VOP 2010 designation of “Commercial Mixed-Use”;***
 - e) ***The Jane Street Corridor: from Portage Parkway to Rutherford Road on the east side; and from Portage Parkway to Bass Pro Mills Drive on the west side, be redesignated in VOP 2010 from “Commercial Mixed-Use” to “Prestige Employment”;***
 - f) ***The Steeles Avenue Corridor from Islington Avenue to Jane Street maintain the VOP 2010 designation of “Commercial Mixed-Use”;***
 - g) ***The Steeles Avenue Corridor from Keele Street to Dufferin Street maintain the VOP 2010 designation of “Commercial Mixed-Use”;***

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3. ***The lands located north of Major Mackenzie Drive, south and west of McNaughton Road, east of the Maple GO Station, be subject to the following land use designations and secondary plan requirements:***
- ***The westerly portion of the site between the existing retail uses and the GO Rail Station be redesignated to “Mid-Rise Mixed-Use”;***
 - ***That the easterly portion of the site containing the retail uses, maintain the Commercial Mixed-Use” designation as shown in the adopted VOP 2010;***
 - ***That Schedule 14-A be amended to show the lands designated Mid-Rise Mixed-Use as a “Required Secondary Plan Area”.***

PART 3

a) **Reference Correction**

***Special Committee of the Whole Report, September 12, 2011
Modifications to the Vaughan Official Plan – 2010 (Volume 1)
Attachment 1, Part B, Summary of Respondents Requests/Staff Comments and
Recommendations, Item 159 (Solmar), pp 58-59***

That the term “Schedule 13-J” in the last paragraph of the Comments column be replaced by “Schedule 13-Q” to properly reflect the location of the subject property.

b) **Further Discussions in Respect of Industry Concerns: Gas Stations and Drive-Through Facilities**

Following the September 12, 2011 Special Committee of the Whole Meeting, Policy Planning staff met with representatives from the restaurant industry, interested landowners, and the Region of York in regard to the VOP 2010 policies respecting car oriented uses including drive-through facilities. The concerns of the restaurant industry were discussed, focusing on the regulations, guidelines and prohibitions placed on drive-through facilities. Staff are of the opinion that progress was made towards reaching a resolution on this matter and will continue to work with industry representatives. In addition, staff will also engage the gas station interests in the process.

Both the current policies in VOP 2010 and those recommended in paragraph p) of the September 12, 2011 report on the proposed modifications may play a role in developing the new policy regime. However, at this point introducing the new policies recommended in paragraph p) of the September 12 report would not advance discussions.

That Recommendation No. 2 of the Commissioner of Planning be amended by adding the following after “Recommended Modifications”:

“; save and except for the policies recommended in paragraph p) “Regulation of Automobile Oriented Uses: Gas Stations and Drive-Through Facilities”.

That staff pursue a resolution and report back to Council prior to the Region of York’s approval of the modified VOP 2010.”

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- 14) *That the following recommendation contained in Communication C18 from the Commissioner of Planning, dated September 27, 2011, be approved:*

“That the following recommendation be added to the Recommendation section of the September 27, 2011 “Follow-Up Report” to Council under Part 3: Other Issues, Modifications and Clarifications:

3.3 Paragraph c) in respect of potential changes to Section 3 “Environment”

That the implementing policies and schedules changes be prepared to reflect the modifications to VOP 2010 Volume 1 identified in the Commissioner of Planning’s memorandum dated September 27, 2011 (Further Modifications to Chapter 3 of the Vaughan Official Plan-2010) and that such policies be forwarded to the Region of York for approval as part of the VOP 2010 Volume 1 approval process.”; and

THAT Item 1, Special Committee of the Whole Report No. 39, dealing insofar as it relates to Block 27, be adopted as amended; and

THAT Item 1, Special Committee of the Whole Report No. 39, insofar as it relates to Rizmi Milani Lands, be adopted as amended; and

By receiving the following Communications:

- C9 Report of the Commissioner of Planning, dated September 27, 2011;*
- C10 Mr. Attilio Lio, Zodiac Developments Inc., 7501 Keele Street, Suite 401, Vaughan, L4K 1Y2, dated September 24, 2011;*
- C12 Mr. Michael Melling, Davies Howe Partners LLP, 5th Floor, 99 Spadina Avenue, Toronto, M5V 3P8, dated September 26, 2011;*
- C13 Ms. Carolyn Woodland, Toronto and Region Conservation Authority, 5 Shoreham Drive, Downsview, M3N 1S4, dated September 27, 2011;*
- C14 Mr. Joel D. Farber, Fogler, Rubinoff LLP, 95 Wellington Street West, Suite 1200, Toronto-Dominion Centre, Toronto, M5J 2Z9, dated September 27, 2011; and*
- C16 Mr. Mark Yarranton, KLM Planning Partners Inc., 64 Jardin Drive, Unit 1B, Concord, L4K 3P3, dated September 27, 2011.*

1 **MODIFICATIONS TO THE VAUGHAN OFFICIAL PLAN – 2010 (VOLUME 1)
RESPONSE TO PUBLIC, GOVERNMENT AND AGENCY SUBMISSIONS
FILE 25.1**

The Special Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated September 12, 2011, be approved, subject to the following:
 - a) That the proposed conversion of the northern portion of the lands northwest of Martin Grove Road and Highway 7 in Ward 2, within the Hemson Report, not be approved;

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- b) That the present Mid-Rise Mixed Use land use designation as adopted by the City of Vaughan on September 7, 2010, be maintained for 77-87 Woodstream Boulevard with the understanding that the equivalent ground floor area of the existing banquet hall will be maintained and/or increased in the proposed development for the subject site, and that construction of a pedestrian crossover bridge which provides direct access to the school and soccer centre facility on Martin Grove Road for the community east of Rainbow Creek will also be undertaken by the developer;
- c) That Item 522YR (west side of Islington Avenue north of Hwy. 407, Ward 2) be deferred to a future Committee of the Whole meeting, but no later than October 31, 2011, to permit further consultation by staff, the applicant, and any required consultants of the most appropriate land use designation whether low, medium or high rise residential, particularly in light of the proposed Hwy. 407 GO Station immediately to the south;
- d) That staff be directed to draft appropriate modifications to the 2010 Vaughan O.P. to allow existing and proposed retail commercial uses to be recognized and permitted on the lands in Ward 2 owned by 2107683 Ontario Ltd., RioCan P.S. Inc. and SRF Vaughan property Inc. for consideration in Volume 2 and without the requirement for a Comprehensive Employment Conversion Review;
- e) That with respect to Item 154C, all necessary modifications be made to the City of Vaughan's Official Plan, Volume 1, such that all lands shown on Draft Plan of Subdivision 19T-90018 (Part of Lot 9, Concession 9 in Ward 2) be designated as "general employment", as outlined in the general submissions by Goodman's LLP.
- f) That the site-specific policy in relation to the property located at 8151 Highway 50, in Ward 2, be referred to Council for a staff report;
- g) That staff review Section 3.2.3.7 on Modifications to Vaughan Official Plan "Planning-Environmental" as requested by Mr. Maurice Stevens, Castlepoint Developments Inc., and report back on this matter;
- h) That with respect to Item 21YR, staff report back to Council on the feasibility of the request for additional uses and their impact on the current site specific plan for the Ahmadiyya Community;
- i) That staff report to Council on the feasibility of having the red dash line in Schedule 10, denoting an extension of the Subway beyond the tail track, be modified to end at Jane Street and Pennsylvania Avenue rather than Major Mackenzie Drive;
- j) That staff report to Council on an implementation plan for the timely preparation of secondary plans as a pre-requisite to initiating a Secondary Plan for the New Community Areas;
- k) That Schedule 9 be delayed until the Transportation Master Plan report is reviewed at Committee in October, and any changes to the Official Plan to follow;
- l) That staff report to the next Council meeting justifying the conversion of land to Mid-Rise Mixed Use at Steeles Avenue and Islington Avenue, to ensure it addresses the complete communities vision for new development areas;

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- m) **Whereas, Policy 10.2.1.3 of the New Official Plan, Volume 2, states that it is Council’s intention “...To recognize legally existing land uses as they exist at the time this Plan is adopted.”;**

That staff be directed to report back on the issues raised regarding whether a consistent approach to the treatment of existing commercial uses on arterial roads can be applied or whether an appropriate site specific policy, secondary plan study or changes to Schedule 13R in the new official plan is required;

- 2) **That in reference to any motion made by Committee, the Planning Department provide a report to Council assessing the planning merits, and that the Legal Services Department submit such other reports as may be necessary;**
- 3) **That Communication C4, the Supplementary Report of the Commissioner of Planning, dated September 12, 2011, be received;**
- 4) **That Communications C1 and C2, memoranda from the Commissioner of Planning, dated September 8, 2011 and September 12, 2011 respectively, be received;**
- 5) **That the following deputations and communications, be received:**
1. **Mr. Guido Masutti, 144 Riverview Avenue, Woodbridge, L4L 2L6;**
 2. **Mr. Yuriy Pelech, EMC Group Limited, 7577 Keele Street, Suite 200, Vaughan, L4K 4X3, on behalf of Anland Group Inc., and Communication C19, dated September 7, 2011;**
 3. **Mr. Johann (Hans) Kau, Kau and Associates, 2525 Sources Boulevard, Pointe Claire, Quebec H9R 5Z3;**
 4. **Mr. David McKay, MHBC Planning, 7050 Weston Road, Suite 230, Woodbridge, L4L 8G7, on behalf of Kau & Associates;**
 5. **Mr. Don Given, Malone Given Parsons Ltd., 140 Renfrew Drive, Suite 201, Markham, L3R 5T3, on behalf of Azhria (Block 41), and Communication C34, dated September 12, 2011;**
 6. **Mr. Ira Kagan, Kagan Shastri LLP, 188 Avenue Road, Toronto, M5R 2J5;**
 7. **Mr. Peter Smith, Weston Consulting Group, 201 Millway Avenue, Suite 19, Vaughan, L4K 5K8, on behalf of Gladys Smith Estate;**
 8. **Mr. James Kennedy, KLM Planning Partners Inc., 64 Jardin Drive, Suite 1B, Concord, L4K 3P3, on behalf of York Major Holdings Inc., and Communication C23, dated September 12, 2011;**
 9. **Mr. Victor Labreche, Labreche Patterson & Associates Inc., 330 Trillium Drive, Suite A1, Kitchener, N2E 2J2, on behalf of ORHMA, A & W Food Services of Canada Inc., McDonald’s Restaurants of Canada Ltd., Tim Hortons Restaurants and Wendy’s Restaurants of Canada Inc., and Communication C20, dated September 12, 2011;**
 10. **Ms. Elisa Testa, 159 Bruce Street, Woodbridge, L4L 1J3;**
 11. **Mr. Bruce Thom, EMBEE Properties Limited, 88 Sheppard Avenue West, Suite 200, Toronto, M2N 1M5;**
 12. **Mr. Gino Nave, DeNave Developments Inc., 8201 Islington Avenue, Suite 17, Woodbridge, L4L 9S6, on behalf of Vaughanwood Mall, and Communication C31, dated September 12, 2011;**
 13. **Mr. Nick Pinto, President, West Woodbridge Homeowners’ Association, 57 Mapes Avenue, Woodbridge, L4L 8R4;**

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14. Mr. Joel Farber, Fogler, Rubinoff LLP, 95 Wellington Street West, Suite 1200, Toronto-Dominion Centre, Toronto, M5J 2Z9, on behalf of Trinity Development Group Inc., and Communication C7, dated September 9, 2011;
 15. Ms. Rosmarie L. Humphries, Humphries Planning Group Inc., 216 Chrislea Road, Suite 103, Vaughan, L4L 8S5, on behalf of KK Holdings and La Primavera Banquet Hall, and Communications C5 and C6, both dated September 10, 2011;
 16. Ms. Susan Rosenthal, Davies Howe Partners, 99 Spadina Avenue, 5th Floor, Toronto, M5V 1K1, on behalf of First Liberty Group Inc., Rice Commercial Group, and Hwy. 27 Langstaff Limited Partnership;
 17. Mr. Alan Young, Weston Consulting Group Inc., 201 Millway Avenue, Unit 19, Vaughan, L4K 5K8, and Communication C16, dated September 12, 2011;
 18. Dr. Paulo Correa, Concord West Ratepayers Association, 42 Rockview Gardens, Vaughan, L4K 2J6;
 19. Mr. David Bronskill, Goodmans LLP, 333 Bay Street, Suite 3400, Toronto, M5H 2T4, on behalf of 611488 Ontario Ltd.;
 20. Ms. Clara Astolfo, President, Vaughanwood Ratepayers' Association, 15 Francis Street, Woodbridge, L4L 1P7;
 21. Ms. Teresa Mararido, 9 Dorian Place, Thornhill, L4J 2M3;
 22. Mr. Murray Stevens, Castlepoint Investments Inc., 10710 Bathurst Street, Maple, L6A 4B6, and Communication C12, dated September 12, 2011;
 23. Mr. Kevin Hanit, 72 Queensbridge Drive, Concord, L4K 5T1;
 24. Mr. Satinder Rai, Sustainable Vaughan, 143 Vaughan Mills Road, Vaughan, L4H 1K2;
 25. Mr. David McKay, MHBC Planning, 7050 Weston Road, Suite 230, Woodbridge, L4L 8G7;
 26. Mr. Steve Roberts, 95 Bentoak Crescent, Vaughan, L4J 8S8; and
 27. Mr. John Harvey, Vellore Woods Ratepayers' Association, 63 Ticket Trail, Woodbridge, L4H 1Y1; and
- 6) That the following communications, be received:
- C3 Mr. Frank Greco, Frank Greco Property Management, 10462 Islington Avenue, Unit 8A, Kleinburg, L0J 1C0, dated September 8, 2011;
 - C8 Jean Roy, Canadian Petroleum Products Institute, 20 Adelaide Street East, Suite 901, Toronto, M5C 2T6, dated September 12, 2011;
 - C9 Ms. Danielle Chin, BILD, dated September 12, 2011;
 - C10 Mr. Todd Trudelle, Goldberg Group, 2171 Avenue Road, Suite 301, Toronto, M5M 4B4, dated September 12, 2011;
 - C11 Mr. Jeffrey Streisfield, Land Law, 310 Hillhurst Boulevard, Toronto, M6B 1N1, dated September 12, 2011;
 - C13 T. W. Bermingham, Blake, Cassels & Graydon LLP, 199 Bay Street, Suite 4000, Commerce Court West, Toronto, M5L 1A9, dated September 12, 2011;
 - C14 Mr. Philip J. Stewart, Pound & Stewart Associates Limited, 205 Belsize Drive, Suite 101, Toronto, M4S 1M3, dated September 12, 2011;
 - C15 Mr. Ryan Guetter, Weston Consulting Group Inc., 201 Millway Avenue, Unit 19, Vaughan, L4K 5K8, dated September 12, 2011;
 - C17 Mr. Ryan Guetter, Weston Consulting Group Inc., 201 Millway Avenue, Unit 19, Vaughan, L4K 5K8, dated September 12, 2011;
 - C18 Ms. Sandra K. Patano, Weston Consulting Group Inc., 201 Millway Avenue, Unit 19, Vaughan, L4K 5K8, dated September 12, 2011;
 - C21 Mr. Chris Barnett, Davis LLP, 1 First Canadian Place, Suite 5600, P.O. Box 367, 100 King Street West, Toronto, M5X 1E2, dated September 12, 2011;
 - C22 Mr. Ryan Guetter, Weston Consulting Group Inc., 201 Millway Avenue, Unit 19, Vaughan, L4K 5K8, dated September 12, 2011;

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- C24 Mr. Ryan Guetter, Weston Consulting Group Inc., 201 Millway Avenue, Unit 19, Vaughan, L4K 5K8, dated September 12, 2011;
- C25 Mr. Ryan Guetter, Weston Consulting Group Inc., 201 Millway Avenue, Unit 19, Vaughan, L4K 5K8, dated September 12, 2011;
- C26 Mr. Michael Melling, Davies Howe Partners LLP, 99 Spadina Avenue, 5th Floor, Toronto, M5V 3P8, dated September 12, 2011;
- C27 Mr. Michael Melling, Davies Howe Partners LLP, 99 Spadina Avenue, 5th Floor, Toronto, M5V 3P8, dated September 12, 2011;
- C28 Mr. Michael Melling, Davies Howe Partners LLP, 99 Spadina Avenue, 5th Floor, Toronto, M5V 3P8, dated September 12, 2011;
- C29 Mr. Michael Melling, Davies Howe Partners LLP, 99 Spadina Avenue, 5th Floor, Toronto, M5V 3P8, dated September 12, 2011;
- C30 Ms. Sandra K. Patano, Weston Consulting Group Inc., 201 Millway Avenue, Unit 19, Vaughan, L4K 5K8, dated September 12, 2011;
- C32 Mr. Michael Baker, EMBEE Properties Limited, 88 Sheppard Avenue West, Suite 200, Toronto, M2N 1M5, dated September 12, 2011;
- C33 Mr. Alan Young, Weston Consulting Group Inc., dated September 12, 2011;
- C35 Mr. Michael Mendes, Rice Commercial Group, 15 Gormley Industrial Avenue, Box 215, Gormley, L0H 1G0, dated June 11, 2011; and
- C36 Mr. Roy Mason, KLM Planning Partners Inc., 64 Jardin Drive, Unit 1B, Concord, L4K 3P3, dated June 8, 2011.

Recommendation

The Commissioner of Planning recommends that:

1. The City of Vaughan Official Plan, Volume 1 (VOP 2010), adopted September 7, 2010 be modified in accordance with the recommendations set out in Attachment No. 1 to this report;
2. VOP 2010, Volume 1 be further modified in accordance with the analyses and recommendations set out in the section of the report entitled “Key Policy Areas – Analysis and Recommended Modifications”;
3. This report be forwarded to the Region of York as the City of Vaughan’s recommended modifications to VOP 2010, Volume 1 and that the Region be requested to modify the plan accordingly, as part of the process leading to the approval of the Plan; and;
4. The Region of York be requested to modify Schedule 9, (VOP 2010, Volume 1) “Future Transportation Network” to accommodate changes that may result from Council’s approval of the City’s Transportation Master Plan.

Contribution to Sustainability

Goal 2 of *Green Directions Vaughan*, the City’s Community Sustainability and Environmental Master Plan, focuses on the new Official Plan to “ensure sustainable development and redevelopment”. The description of Goal 2 explains the transformative vision for the new Official Plan.

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Vaughan is committed to sustainable land use. Vaughan Tomorrow, our consolidated Growth Management Strategy – 2031, has a central focus on creating a cutting-edge Official Plan that will provide for increased land use densities, efficient public transit, considerations for employment lands and open space systems, as well as walkable, human scale neighbourhoods that include services, retail, and an attractive public realm. The plan will guide the creation of the physical form that will reflect a “complete” community.

Economic Impact

The Vaughan Official Plan 2010 establishes the planning framework for development throughout the City to 2031. The Plan, when approved, will have a positive impact on the City of Vaughan in terms of managing growth and fostering retail and residential intensification and employment opportunities while fulfilling the City’s obligations to conform with Provincial policies and meet Regionally imposed targets for residential and employment growth.

Communications Plan

Notice of this meeting has been communicated to the public by the following means:

- Posted on the www.vaughan.ca online calendar, Vaughan Tomorrow website www.vaughantomorrow.ca, City Page Online and City Update (corporate monthly e-newsletter);
- Posted to the City’s social media sites, Facebook and Twitter;
- By Canada Post to almost 1500 addresses on the Vaughan Tomorrow/Official Plan Review mailing list, updated to include the parties identified in the letters directed to the Region of York; and
- To the Official Plan Review e-mail list.

Purpose

To report on and obtain direction on requested modifications to VOP 2010 that have been identified since its adoption on September 7, 2010. The Council ratified report and recommended modifications will be forwarded to the Regional Municipality of York with the request that the modifications be incorporated into VOP 2010 as part of the Region’s official plan approval process.

Background – Analysis and Options

Location

The new Official Plan applies to all lands within the City. VOP 2010 is composed of two volumes. Volume 1 contains city-wide policies; and Volume 2 contains the secondary plans resulting from a number of focused area studies, existing area specific secondary plans that require recognition and site specific policies applicable to a number of sites or areas, which require more detailed planning policies. This report deals with Volume 1 of VOP 2010. Volume 2 policies, including the secondary plans, will be addressed in a separate report to follow.

Adoption of VOP 2010

An extensive public and agency consultation process was undertaken during the development of VOP 2010. This included public meetings, events (e.g. the Speakers Series), community outreach (the workshops) and the publication of studies, reports and information pamphlets. Continuous updates and posting of events was provided on the City’s growth management website, www.vaughantomorrow.ca.

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The process leading up to adoption of the plan, after the preparation of the draft VOP 2010, is set out below:

- The draft VOP 2010 was released for public comment on April 27, 2010;
- On May 3, 2010 the Statutory Open House was held, followed by the Public Hearing on May 17, 2010;
- A Special Committee of the Whole Meeting was scheduled for July 28, 2010 to consider public input received after the Public Hearing;
- Each of the five Secondary Plans was subject to its own separate public consultation process including a number of community consultation meetings. Statutory Open Houses were held, one in each Ward, on April 7, 12, 14, 19 and 22, 2010. The five focused area studies have resulted in draft Secondary Plans, which were the subject of individual Public Hearings on June 14, 2010;
- Notification of all the open houses and public hearings was provided to the public via emailing, direct mailing and newspaper advertising in keeping with the notification policies of Council and the requirements of the Planning Act;
- Amendments to Volume 1 resulting from comments received after the public hearing were considered at a Special Committee of the Whole meeting on July 28, 2010 at which the public was allowed to make deputations;
- Recommended changes coming out of the July 28, 2010 Committee of the Whole meeting and a follow-up Committee of the Whole meeting on August 31, 2010 were incorporated into Volume 1 of VOP 2010.

On September 7, 2010 Council adopted Volumes 1 and 2 of VOP 2010 including the five Secondary Plans that originated with the focused area studies. The Secondary Plans included: The North Kleinburg-Nashville Secondary Plan; the Yonge-Steeles Corridor Secondary Plan; the Vaughan Metropolitan Centre Plan; the Woodbridge Centre Secondary Plan; and the West Vaughan Employment Area Secondary Plan.

The Approval Process

The Regional Municipality of York is the approval authority for the City's Official Plan. Upon adoption of VOP 2010, the City forwarded Volumes 1 and 2 and the five Secondary Plans to the Region of York to initiate the approval process. The Region has undertaken its circulation of VOP 2010 to the prescribed authorities and public bodies to identify potential objections or modification requests. In addition, the Region has been accepting requests for modifications and Notices of Decision from the public and landowner interests. The Region has provided the City with the originating correspondence from the respondents. In order for the Region to make a decision on the approval of VOP 2010, it has requested the City of Vaughan's input on the disposition of the modification requests prior to finalizing its decision.

In addition to addressing modification requests emerging from the Region's process, this report will also address a number of changes to policy that have been identified by staff, which will serve to clarify the plan. Similarly, staff will also make recommendations on changes to the mapping schedules that have been identified by both the public and staff that will serve to improve their accuracy and usability.

Upon receiving Council direction on the modifications, this report and the Council minutes will be forwarded to the Region as the City's position. This will allow Regional staff to complete their analysis of Volume 1 VOP 2010, taking into consideration the City's position, and issue a Notice of Decision. It is anticipated that the Region will be in a position to issue the notice late this year or early in 2012.

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Modifications to Volume 2, including the five Secondary Plans, will be dealt with at a future Committee of the Whole meeting and will be forwarded to the Region to allow for the completion of the Regional review. A report to Committee of the Whole is anticipated in the November-December 2011 timeframe, which will allow the Region the opportunity to deal with Volume 2 and the Secondary Plans early in the new year.

It is recognized that opportunities for further modifications to Volume 1, after Council's consideration of these modifications, will be limited. As such, there may be issues that will not be resolved prior to the Region's approval of the new Official Plan. This may result in appeals, which may ultimately have to proceed to the Ontario Municipal Board for adjudication. It is expected that certain issues will not be resolved to the satisfaction of the City and the parties. However, when appeals are received there is still the opportunity for settlement negotiations in advance of a hearing, which would assist in limiting the number of appeals and the duration of hearings. Efforts have been made to resolve outstanding concerns including discussions with a number of landowner interests.

Analysis of Submissions

To further the analysis of the modification requests, staff from the City and the Region have worked in cooperation to resolve the issues raised in the various responses. A number of joint meetings with Regional and City staff and respondents, including public bodies and landowner interests were held. This process included extensive consultations with the TRCA. City staff has also met individually with respondents to better understand their issues.

In analyzing the submissions and preparing recommendations a number of objectives were taken into consideration. These included maintaining the principles of the new Official Plan, ensuring continuing conformity with senior level policy direction (e.g. the Regional OP and the Places to Grow plan) and ensuring adherence to sound planning principles.

Staff has reviewed approximately 120 written submissions from landowners, public agencies and government bodies, the development industry and citizen and interest groups in response to VOP 2010. It is noted that not all of the responses specifically address Volume 1 policies. Some pertain to the Secondary Plan Areas (e.g. the VMC) or areas identified for further study (e.g. Centre Street). These have been acknowledged on the response matrix for resolution through other processes. Where planning applications have been submitted for affected properties, it has been acknowledged in the matrix and no recommendation is provided, pending the outcome of the planning application. If the application is approved prior to adoption, a modification to the Plan will be requested to reflect the outcome of the process.

Some of the submissions request a Notice of Decision from the Region of York, at the time of the Region's approval of the Plan. Others are provided in the way of comments and others request specific modifications to the Plan. Each modification request was considered on its merits and where necessary, recommendations have been provided on appropriate responses and actions. In addition, staff has identified areas where changes should be made to the plan. Such City initiated changes will also need to be considered and incorporated.

To ensure an efficient and thorough analysis, staff established a template for the evaluation of the submissions. The template forms the basis for Attachment No. 1, which sets out the recommended responses. Also attached, forming Attachment No. 4, is the originating correspondence. Each piece of correspondence in Attachment No. 4 is referenced by an item number to correspond with the response in Attachment No. 1 to allow for a detailed review of the source material.

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The Review Template

The responses in Attachment No. 1 are presented in matrix form in the following manner:

Part A: Index of Correspondence for Part B identifying each respondent by way of :

- An **Item** number;
- The Submission **Date** of the originating correspondence;
- The **Name** of the respondent;
- The **Subject/Location**.

Part B: Vaughan Official Plan 2010 (Volume 1) - Summary of Respondents Requests/Staff Comments and Recommendations setting out:

- The **Item** number corresponding to the number in the Index of Correspondence in Part A;
- The **Submission** date and proponent identification;
- The **Issue** raised in the response to the OP as summarized by staff;
- The staff **Comment** on the submission;
- The staff **Recommendation** to Council on further action.

Part C: Vaughan Official Plan 2010 (Volume 1) - Regional Municipality of York Requests/Staff Comments and Recommendations:

- **Section 1: General Modifications;**
- **Section 2: Chapter 3 “Environment” and Related Modifications;** setting out in each:
 - The **Section** where the affected policy is located;
 - The **Issue** raised in response to the OP as summarized by staff;
 - The staff **Comment** on the submission;
 - The staff **Recommendation** to Council.

It is noted that the Region of York's issues pertaining to Section 3 “Environment” of VOP 2010 are dealt with in Part D, to allow for their coordination with the TRCA's proposed modifications.

Part D: Vaughan Official Plan 2010 (Volume 1) - Toronto and Region Conservation Authority Requests/Staff Comments and Recommendations identifying the affected policy, the requested modification and the recommended response.

Part E: Vaughan Official Plan 2010 (Volume 1) - Mapping and Recommended Changes setting out:

- The **Schedule** number;
- The **Item** number;
- The **Submission;** and
- The staff **Recommendation**.

Part F: Vaughan Official Plan 2010 (Volume 1) - City Staff Comments and Recommendations setting out:

- The **Issue** raised;
- The staff **Comment;** and
- The staff **Recommendation**.

It is noted that where a staff comment is making the same point as an external respondent, the external respondent issue, comment and recommendation will stand for both. It is further noted that issues related to areas covered by a Secondary Plan will be addressed as part of the modifications in the forthcoming report on Volume 2.

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In applying the template the following general principles were adopted:

- Each submission has been evaluated on its merits and a response has been provided in Attachment No. 1;
- Where there are multiple submissions pertaining to one property/properties or issue/issues from a **single** person, firm or agent they may be grouped for the purposes of providing a single response (e.g. two submissions sent by an agent pertaining to a single property); and
- Where there are multiple submissions pertaining to one property/properties or issue/issues from **more than one** person, firm or agent they may be grouped for convenience or have a single response.

Attachment No. 4 has been prepared to allow for public review of the originating correspondence, which forms the basis for the summarized “Issues” in Attachment No. 1. The summary of the issues is the City staff synopsis of the matters raised in the correspondence. Attachment No. 4 will allow the reader access to the respondent’s complete submission.

Due to the length of Attachment No. 4, it is not included as part of the printed agenda. A printed copy has been placed in the City Clerk’s Department for public review. Digital versions of Attachment No. 4 have been provided to the Mayor and the Members of Council.

Attachments No. 1 through 4 to this report will form part of the public record on Volume 1 of the City of Vaughan Official Plan 2010 and will be forwarded to the Region of York as part of the approval process under the *Planning Act*.

Submissions Received

Approximately 120 written submissions have been received. The majority of the responses pertain to Volume 1. Generally, they have identified concerns about how the policies and land use designations affect specific properties. Other responses pertain to general policy issues having City-wide implications. Also included are the responses from various government bodies and public agencies.

The remaining responses are divided amongst the Secondary Plans, pertain to lands that are currently under study (e.g. the Thornhill Centre St. Study) or are related to Volume 2 of the Plan. These have been recorded in Attachment 1, Parts A and B and will be dealt with in a future report to Council.

Key Policy Areas – Analysis and Recommended Modifications

In addition to the matters addressed in Attachment 1, there are a number of policy areas that require either a specific action, an update or further explanation. These issues are discussed below. Where necessary, a staff recommendation on specific modifications is provided. Such modifications will be incorporated into the Plan with the modifications originating in Attachment 1 as per the “Recommendation” section of this report.

a) Urban Boundary Expansion

The Urban Boundary Expansion area encompasses Block 27, bounded by Jane Street, Kirby Road, Teston Road and Keele Street; and Block 41, bounded by Weston Road, Kirby Road, Teston Road and Pine Valley Drive. The blocks are shown on Schedules 13 and 13-H and 13-I as “New Community Areas”. These areas accommodate the City’s need for additional Community Land (480 ha) to 2031. This is the basis for the expansion beyond the current urban boundaries, as established in OPA No. 600, and into the *Places to Grow* Plan’s “White Belt”.

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The public raised a number of concerns over the planned expansion into the White Belt during the plan development process. These were addressed in the staff report that was prepared for the July 28, 2010 Special Committee of the Whole meeting.

Subsequently, the Region of York adopted Regional Official Plan Amendment No. 2 (ROPA 2) on September 23, 2010, for the purposes of expanding the “Urban Area” designation in the City of Vaughan. The ROPA 2 Urban Expansion Area corresponds to the City’s Blocks 27 and 41 New Communities Area.

Vaughan’s Official Plan must conform to the Regional Official Plan. ROPA 2 has been appealed to the Ontario Municipal Board (OMB). A hearing date has not been set for ROPA 2. The basis for the appeal is non-conformity with *Places to Grow*, the Growth Plan for the Greater Golden Horseshoe.

- b) Timing of the Initiation of the Preparation of the Secondary Plan for the New Community Areas (Blocks 27 and 41)

On January 11, 2011, Committee of the Whole considered a resolution that recommended the “Removal of the Urban Boundary Expansion for Residential/Commercial (i.e. New Community Areas) from the New Official Plan”.

Committee of the Whole received the resolution and directed that the matter be referred to the Commissioner of Planning for a general report to the Council meeting of January 25, 2011; and further provided: “That the general principle will apply that no studies shall be undertaken with respect to New Community Areas outside the current urban boundaries until the 6 required Secondary Plan Area plans within the urban boundary, are completed.” The adopted VOP 2010 did not contain policies governing the timing of initiation for the Secondary Plan for the New Community Areas.

A report was prepared for the January 25, 2011 Council meeting which identified a number of policy options. Upon consideration, Council adopted the following motion:

That the New Communities Areas Secondary Plan proceed after five of the required Secondary Plans have been substantially advanced as defined in the staff report excluding the Jane Street and Major Mackenzie Drive Secondary Plan; and

That the Natural Heritage Inventory Study be completed before the New Community Areas Secondary Plan is undertaken.

In order to implement Council’s direction, it is recommended that the following policy be added to Section 10.1.1:

In order to achieve orderly, managed growth and development, it is the policy of Council that the preparation of the New Community Areas Secondary Plan will only proceed: After five of the required secondary plans identified under the heading “Required Secondary Plan Areas”, as shown on Schedule 14-A, “Areas Subject to Secondary Plans” have been substantially advanced; and the Natural Heritage Network Study has been completed. For the purposes of this policy, “substantially advanced” means that the secondary plans have proceeded to a statutory public hearing under the *Planning Act*.

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The recommended policy deletes the reference to the “Jane Street and Major Mackenzie Drive Secondary Plan” (OPA 715 – Health Care Campus Centre). At the time Council considered this issue it was uncertain as to the timing of this secondary plan as its progression depended on the circumstances surrounding the timing of the hospital and the campus of care. It could have been well into the future. Things have moved quickly with the hospital and the City has initiated an amendment to OPA 715, which would complete the secondary planning for this amendment area. The public hearing is anticipated in October, 2011. Because of this, the “Jane Street and Major Mackenzie Drive Secondary Plan” can be included as one of the secondary plans that need to be substantially advanced.

It is noted that there have been requests for modifications filed with the Region to change the policy direction established by Council on January 25, 2011. Representatives of Blocks 27 and Block 41 (the New Community Areas) are working to demonstrate that the housing uptake over the next five to ten years will require more supply of certain types of housing in the short-term. The owners have also demonstrated that natural heritage constraints will reduce land available for development. Staff is meeting with the representatives of the owners and the Region to discuss these issues.

The New Community Areas Secondary Plan can only be undertaken once the appeals at the Ontario Municipal Board regarding the Urban Boundary Expansion Areas have been resolved and VOP 2010 is in effect. The earliest that staff anticipate that this could be accomplished would be Spring 2013. It is expected that the Secondary Plans and NHN Study will be substantially advanced/completed prior to or in advance of the resolution of the appeals to the VOP 2010. Therefore, staff anticipates that the requirement to have five of the Secondary Plans and the Natural Heritage Network (NHN) Study completed will not be an impediment to beginning the preparation of the New Community Areas Secondary Plan.

- c) Natural Heritage Issues: Toronto and Region Conservation Authority and Region of York Comments - Modifications to and Restructuring of Section 3 “Environment”

The Toronto and Region Conservation Authority (TRCA) and the Region of York have both provided comments in respect of natural heritage and environmental issues. The TRCA comments and the staff responses and recommendations are found in Part D of Attachment 1. The Region’s comments on natural heritage issues are addressed in Attachment 1 under “Part C: Section 2 – Chapter 3 “Environment” and Related Modifications”. The Region of York’s comments on natural heritage and environmental issues have been coordinated with the TRCA comments and are reflected in the revised Section 3 “Environment” that forms Attachment No. 2 to this report. The recommended changes also have an impact on other sections of the Plan. Overall, the alterations to the policy regime are consistent with the Region of York and TRCA recommended policies.

The implementation of these policies remains a concern to owners in respect of the Regional Official Plan. Staff will monitor and participate in discussions with the Region to determine if VOP 2010 policies need to be adjusted to reflect the outcome of OMB deliberations regarding natural heritage policies.

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The more significant structural changes to Section 3 address conformity issues regarding the Greenbelt Plan and Oak Ridges Moraine Conservation Plan (ORMCP). All relevant Greenbelt Plan policies are included in Section 3 with the exception of the consent policies, which are interpreted in Section 9 with respect to the Agricultural designation. All ORMCP policies regarding the designations of the Natural Core Areas, Natural Linkage Areas, Countryside Areas, and Settlement Areas will be located in Section 9. ORMCP policies regarding key natural heritage features and hydrologically sensitive features remain in Section 3. The other main structural change to Section 3 brings together the existing policies addressing groundwater protection, hazardous lands and hazardous sites, flooding hazards, Special Policy Areas, stormwater management and erosion and sediment control in a sub-section on water resources, which is consistent with the structure of Section 2 of the York Region Official Plan.

Modifications to individual policies provide clarity and bring the policies into better conformity with one or more of the Provincial Policy Statement, the Greenbelt Plan, the ORMCP, regulations under the Conservation Authorities Act, and the York Region Official Plan. This includes adding terms in the Definitions section (Section 10.2.2).

The means of delineating the Natural Heritage Network boundary remains consistent with the original version of the Plan. The VOP 2010 defines a Natural Heritage Network (NHN) for the City, identified on Schedule 2, which is consistent with Section 2 of the PPS. Refinement of the NHN is an ongoing process. Establishing the precise limits of the NHN, and any additions to the NHN, will be based on appropriate studies submitted and reviewed as part of the development approvals process or through approved studies carried out by the City, Region, the Toronto and Region Conservation Authority or other government agencies. An important component of that work will be the preparation of the Natural Heritage Network Study. Phase 1 of the Study is planned to commence in the latter part of 2011. It will provide an important scientific basis for establishing the boundary when considering development submissions.

d) Region of York Modifications

The Region of York has focused its comments on the protection of Regional and Provincial interests such as the Provincial Plans (e.g. Places to Grow) and conformity with the new Regional Official Plan and its supporting Master Plans. The Region's general comments and the staff responses and recommendations are found in Attachment 1 under Part C- Section 1 "General Modifications". The majority of changes reflect the need for minor technical or policy changes. However, a few issues resulted in further consultation between City and Regional staff and modifications to the Plan. These include:

i. Key Development Areas

The York Region Official Plan defines Key Development Areas as intensification areas on Regional Corridors. They are to be focused on existing and planned rapid transit, have the highest densities and mix of uses on the Regional Corridor and are identified and planned by the local municipalities.

The York Region Plan requires that local municipalities establish Key Development Areas and other forms of intensification along Regional Corridors, which will support an overall long-term density target of 2.5 FSI. The Regional Corridors in Vaughan are Yonge Street and the Highway 7-Centre Street-Bathurst Street Corridor. It further provides that secondary plans be prepared for key development areas like planned subway stations outside of the Regional Centres (i.e. the VMC), lands adjacent to Transit Terminals (including GO) and Gateway Hubs and other key development areas identified by the local municipality.

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VOP 2010, as adopted, does not identify Key Development Areas. The Region has requested that Key Development Areas be incorporated into VOP 2010, in conformity with the Region's Plan. Many of the objectives pursued by the Key Development Area policies are already addressed by the City's Urban Structure and Secondary Plans which form part of the City's intensification strategy.

However, Key Development Areas can be incorporated into the City's intensification hierarchy. Rather than identifying specific Key Development Areas, it is recommended that they be recognized in the Plan, however, no specific sites would be identified. Policy would be added to VOP 2010 to provide the opportunity to identify Key Development Areas through a secondary planning process. This would integrate seamlessly with the City's intensification strategy and provide a degree of flexibility to address issues as they arise.

Therefore, it is recommended that VOP 2010 be modified by adding the following policy after "Local Centres" and before "Primary Intensification Corridors" in Section 2.2.5 "Intensification Areas".

Key Development Areas

Key Development Areas are provided for in the York Region Official Plan and are intensification areas on Regional Corridors, which are to be identified and planned by the local municipalities as part of their intensification strategies. In the City of Vaughan's intensification hierarchy, Key Development Areas will inform and complement the planning for Primary Centres and Local Centres identified along the Regional Corridors and support the long-term density, land use and urban design objectives for the Corridors. Specific Key Development Areas beyond those provided for in the Region of York Official Plan have not been identified.

It is the policy of Council:

- 2.2.5.X That Council may identify Key Development Areas and require the preparation of a Secondary Plan for the Key Development Area consistent with the requirements of the York Region Official Plan and Policy 10.1.1.1 hereto.
- 2.2.5.X That for the purpose of interpreting, and in addition to the York Region Official Plan, Key Development Areas in the City of Vaughan may include properties that front directly on the street forming the Regional Corridor. For clarity, properties that are rear-lotted against a Regional Corridor, or those that have frontage on a window street parallel to a Regional Corridor, are generally not considered appropriate for intensification unless a secondary plan has been prepared to recognize land consolidation opportunities and the Key Development Area policies do not apply.
- 2.2.5.X That in identifying Key Development Areas, planned locations and densities of such areas will be consistent with the policies of Section 5.4 (Regional Centres and Corridors), paragraphs 31-33 of the York Region Official Plan.
- 2.2.5.X That Key Development Areas shall be planned to provide for densities that contribute to the overall long-term density target of a 2.5 floor space index for the Regional Corridor.

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In addition, the necessary changes shall be made to Section 2.2.5 to incorporate the addition of Key Development Areas, including Figure 6 “Intensification Areas”.

ii. Conversion of Employment Land to Alternative Uses

The Region of York has noted that a number of site specific re-designations from “Employment” to “non-employment” uses have not been justified by Hemson Consulting in their employment land use conversion review report entitled “Housing Analysis and Employment Land Needs (April 2010)”.

The conversion from employment use to a non-employment use requires compliance with Section 2.2.6.5. (Employment Lands) of the Growth Plan for Greater Golden Horseshoe. In order to comply with the Provincial requirements an analysis must demonstrate:

- a) there is a need for the conversion;
- b) the municipality will meet the employment forecasts allocated to the municipality pursuant to this Plan;
- c) the conversion will not adversely affect the overall viability of the employment area, and achievement of the intensification target, density targets, and other policies of this Plan;
- d) there is existing or planned infrastructure to accommodate the proposed conversion;
- e) the lands are not required for the long term for the employment purposes for which they are designated; and,
- f) cross-jurisdictional issues have been considered.

As an extension of the “Housing Analysis and Employment Land Needs” report, the sites identified in below, will be reviewed in conformity with Section 2.2.6.5. of the Growth Plan for the Greater Golden Horseshoe. The parcels identified include:

1. Jane Street Corridor (between Applewood Crescent and Rutherford Road);
2. Steeles Avenue Corridor (east of the Humber River to Jane Street, and east of Keele Street to Dufferin Street);
3. Lands south of Langstaff Road, east of Weston Road;
4. 77 Woodstream Blvd (south of Highway 7);
5. Lands immediately north of Major Mackenzie, west of McNaughton Road (adjacent to Maple GO station);
6. South east quadrant of Langstaff Road, and Highway 27;
7. Lands north of Rutherford Road, east of Melville Road (Vaughan Joint Operations Centre);
8. Lands east of Dufferin Road, north of Racco Parkway;
9. Lands on the west side of the Highway 7 and Highway 27 interchange.

The additional review will be included in a report entitled “Employment Land Conversion Report” and will be undertaken by Hemson Consulting (the authors of the originating report). The results of this assessment and the final recommendations for these lands will be included in an additional information (addendum) item to Special Committee of the Whole on September 12, 2011.

e) The GTA West Corridor Individual Environmental Assessment (IEA)

The Ministry of Transportation is currently conducting an Individual Environmental Assessment to establish future transportation infrastructure needs to 2031 within a study area that extends from Highway 400 to Guelph. The IEA will identify measures that will provide better linkages to the Urban Growth Centres in the Provincial Growth Plan (*Places to Grow*), generally between Downtown Guelph and Highway 400 in Vaughan.

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The IEA is being conducted in two stages. Stage 1 is embodied in the draft “Transportation Development Strategy Report” (March 2011), which is awaiting approval from the Minister of Transportation. Stage 2 will examine the route location for a new Provincial Highway/Transitway through the “Preliminary Route Planning Study Area”. Stage 2 will start when the Ministry of the Transportation has approved the Transportation Development Strategy Report and the required consulting services have been retained to undertake the necessary route planning and preliminary design studies. Commencement of the studies is also dependent on the Provincial budget.

The Preliminary Route Planning Study Area has an impact on a large portion of the northwest quadrant of the City, extending from Highway 400 on the east to Highway 50 on the west. The extent of this area is shown on Attachment No. 3. The Ministry of Transportation proposes to work with the Ministry of Municipal Affairs and Housing and the municipalities to protect the land for the new transportation corridor from encroaching development to the end of Stage 2. Given the uncertainties surrounding the timing of the approval for Stage 1 and the process required to initiate Stage 2, it will likely be a minimum of three years before a preliminary recommended alignment is selected.

The Preliminary Route Planning Study Area was established to maximize opportunities for route generation so that a reasonable number of alternatives can be developed. The alternatives are intended to address: meeting MTO Geometric Design Standards, minimizing impacts to key natural features; avoiding built-up areas; providing sufficient area adjacent to crossings of key natural features to provide for alternative crossings; minimizing impacts to approved municipal plans; and providing connections to existing and planned transportation facilities.

On June 28, 2011 Council expressed its concern with the alignment by adopting the following resolution:

That this Council requests MTO to provide the City with information supporting the routing of the proposed GTA West Corridor through this Municipality specifically and York Region generally, to ensure that it will follow a route with the least socio/economic and environmental impact and be reflective of the Provincial Framework/Guidelines.

Currently, Policy 4.2.1.9 of VOP 2010 provides that it is the policy of Council: To work with York Region and the Province to protect, as appropriate, potential alignments for the GTA West Corridor and the future extension of Highway 427.”

The Region of York has yet to receive comments from the Ministry of Municipal Affairs and Housing on whether this language is acceptable. However, it is consistent with the language in the Region’s Official Plan and is expected to be consistent with the policies recently approved by the OMB for OPA 637.

f) OPA No. 637 – The Vaughan-400 North Employment Area Secondary Plan

On August 3, 2011 OPA No. 637 was approved by the Ontario Municipal Board. The final Plan will be incorporated into the new Official Plan as an area specific official plan as Section 11.4. of Volume 2. The adopted version (September 7, 2010) of Section 11.4 will be rewritten to reflect the Board approved Plan. This will be addressed through the Volume 2 report.

The GTA West Corridor Preliminary Route Planning Study Area has an impact on the OPA 637 area. The Ministry of Municipal Affairs and Housing attended the OMB Hearing to ensure that the development of the Vaughan 400 North Secondary Plan would not preclude or predetermine the findings and requirements of the GTA West Corridor IEA. This included potential constraints on the routing of the corridor and the protection of land for the future location of interchanges and other accesses.

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At the request of the Province, a series of protective policies were introduced into OPA No. 637. As a result, the Plan identifies a “GTA West Transportation Corridor Protection Zone”. The following corridor policies were applied:

- Development within the Corridor Protection Zone shall not be approved. Development includes the approval of any planning applications (i.e. official plan, site plan, zoning, holding by-laws, subdivisions and block plans;
- The review of development applications shall occur as follows:
 - The application is premature unless the Province has provided formal written notice that the lands have been released from the required area;
 - If the application is premature, the City shall notify the applicant that the application is premature and it will be held in abeyance until the lands are released by the Province;
 - If there is any uncertainty over whether lands have been released, the Province will confirm whether the lands have been formally released;
 - If there is a disagreement by any affected party about whether lands should be released, then the City, the Region and the Province will consult with each other to resolve the issue as soon as practicable;
 - The Province will formally notify the City and the Region when specific lands may be released for development.

It is expected that the policies applied to the OPA No. 637 area will inform the GTA West Corridor Study Area preservation policies ultimately applied to VOP 2010 and the affected Secondary Plans. This would include the Huntington Road community of the North Kleinburg-Nashville Secondary Plan and the Block 66 portion of the West Vaughan Employment Area Secondary Plan. This will become clearer when the Ministry of Municipal Affairs comments are available. Any necessary policy adjustments in the Plan will be developed in consultation with the Region of York.

- g) Creating New Employment Opportunities on Surplus Provincial Lands: Removal and Redesignation of Infrastructure Ontario Lands (formerly the Ontario Real Estate Corporation) from the Parkway Belt West Lands and Redesignation to Employment – Southeast Quadrant of the Intersection of Highway 407 and Keele Street

The recently completed Environmental Assessment (EA) to identify the preferred alignment for the proposed Highway 407 Transitway, and the final Environmental Project Report (EPR), determined that the transitway should run along the north portion of the larger provincially owned parcel at the southeast corner of Highway 407 and Keele Street. The remainder of the corner lands, approximately 10 acres located on the southerly portion of the corner parcel, has been determined to be unencumbered. As a result of the conclusions of these studies, Infrastructure Ontario has applied to the Ministry of Municipal Affairs and Housing (MMAH), to remove the surplus lands from the Parkway Belt West Plan. It is anticipated that the process for removing the lands will be completed by September of 2011.

Infrastructure Ontario has subsequently requested in correspondence to the Region (June 30, 2011), that given the imminent change in status of the subject lands, the parcel be designated “Prestige Employment” in Volume 1 of the VOP 2010 on Schedule 13, Land Use; and “Employment Area” on Schedule 1 Urban Structure. The proposed designations are appropriate given the land use context; and the addition of this new employment area will augment the employment land supply in the City of Vaughan.

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In consideration of the request from Infrastructure Ontario, it is recommended that VOP 2010 be modified by:

Designating the subject lands “Employment Area” on Schedule 1 “Urban Structure” and “Prestige Employment” on Schedules 13 and 13R “Land Use” on confirmation that the lands have been removed from the Parkway Belt West Plan.

h) Identification of Area Specific Plans (Secondary Plans) on the Land Use Schedules

Schedules 14 A-C identify areas that are subject to official plan policies that have been derived from area specific secondary plans or site specific development applications. The policies pertaining to these lands are contained in Volume 2 of the Plan. Policy 10.2.1.7 provides that where the policies of Volume 1 of the VOP 2010 conflict with the policies of Volume 2, the Volume 2 policies shall prevail.

The Land Use Schedules (Schedule 13 and 13A through 13T) do not identify the lands subject to the Volume 2 Area Specific Secondary Plan policies. Instead, it applies a land use regime that adapts the standard VOP 2010 designations to the subject lands. The concern has been raised that this approach does not provide the reader with sufficient information and they may rely solely on the land use schedule and Volume 1 for their interpretation of the permitted uses, densities and building heights. This could result in a mistaken interpretation. Staff concurs and it is recommended that:

- On the Schedule 13 Land Use schedules, the lands subject to approved area specific Secondary Plans be identified along with a reference to the pertinent section of Volume 2; and no land use information be provided for the subject secondary plan areas; and
- A general advisory notice be placed on the Section 13 Land Use Schedules advising readers to check Schedules 14A-C for the location of area and site specific policies.

i) Incorporation of Official Plan Amendment Applications Approved/Adopted by Vaughan Council between September 7, 2010 and the Final Approval of the Vaughan Official Plan

Schedule 14 is designed to identify where area and site specific Official Plan policies are needed to preserve some aspect of the planned development for those lands that is not covered in the new Official Plan. Schedule 14 reflects the situation as of September 7, 2010. However, before the final approval of the new Official Plan, a number of Official Plan amendment applications will have either been approved or the actual amendment adopted by Council. It will be necessary to incorporate all such changes to the Official Plan upon their approval. Unless the amendment conforms to the policies of Volume 1, it will need to be accommodated in Volume 2 and acknowledged on Schedule 14.

Therefore, it is recommended that a provision be added to Policy 10.2 “Interpretation” that would recognize all Official Plan Amendment applications either approved or amendments adopted by Vaughan Council prior to the final approval of the New Official Plan. On their approval by the Region of York/Ontario Municipal Board such amendments be incorporated into the new Official Plan as part of Volume 1 or Volume 2, as appropriate. The following policy is recommended:

Any Official Plan Amendment application approved or amendment adopted by Vaughan Council prior to the approval of this Plan, shall be incorporated into this Plan, without further amendment, upon the amendment’s approval by the Region of York or the Ontario Municipal Board.

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j) Enhancing Protection for the City's Older Established Residential Areas

The City has a number of older, established neighbourhoods which distinguish themselves by their large lot, architectural, historical and/or landscape character. These areas are often core elements of the City's founding communities of Thornhill, Kleinburg, Maple and Woodbridge. Such areas include the R1V Old Village Residential Zone, the R1 Residential Zone and the Heritage Conservation District Plans. Concerns have been raised that the existing policies of VOP 2010 may be insufficient to protect these areas from incompatible development, possibly resulting from severances, zoning by-law amendments or minor variances. Reinforcing the current policies to emphasize the importance of these areas and the identification of the characteristics that are critical to their preservation will assist in defending these areas against inappropriate development and in developing future zoning standards. It is recommended that policy 9.1.2.2 h. be deleted and a new policy 9.1.2.3 be added as follows:

Within the **Community Areas** there are a number of older, established residential neighbourhoods that are characterized by large lots and/or by their historical, architectural or landscape value. They are also characterized by their substantial rear, front and side yards, and by lot coverages that contribute to expansive amenity areas, which provide opportunities for attractive landscape development and streetscapes. Often, these areas are at or near the core of the founding communities of Thornhill, Concord, Kleinburg, Maple and Woodbridge; and may also be part of the respective Heritage Conservation Districts. In order to maintain the character of these areas the following policies shall apply to all developments within these areas. (e.g. land severances, zoning by-law amendments and minor variances) based on the current zoning; and guide the preparation of any future City-initiated area specific or comprehensive zoning by-laws affecting these areas.

- a. Lot frontage: In the case of lot creation, new lots should be equal to or exceed the frontages of the adjacent nearby and facing lots;
- b. Lot area: The area of new lots should be consistent with the size of adjacent and nearby lots;
- c. Lot configuration: New lots should respect the existing lotting fabric;
- d. Front yards and exterior side yards: Buildings should maintain the established pattern of setbacks for the neighbourhood to retain a consistent streetscape;
- e. Rear yards: Buildings should maintain the established pattern of setbacks for the neighbourhood to minimize visual intrusion on the adjacent residential lots;
- f. Building heights and massing: Should respect the scale of adjacent residential buildings and any city urban design guidelines prepared for these community areas;
- g. Lot coverage: In order to maintain the low density character of these areas and ensure opportunities for generous amenity and landscaping areas lot coverage consistent with development in the area and as provided for in the zoning by-law is required to regulate the area of the building footprint within the building envelope, as defined by the minimum yard requirements of the zoning by-law,

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k) Delineation of Land Use Boundaries: Employment Area Designations

Policy 10.2.1.5 (“Interpretation”) provides that: “For the purposes of delineating between **Prestige Employment** and **General Employment** land uses and between **Commercial Mixed-Use** and **Prestige Employment** or **General Employment** land uses, the use abutting an arterial street or Provincial Highway shall be interpreted to extend one lot depth, up to 200 metres, in from the arterial street or Provincial Highway. Concerns have been raised that where a lot is more than 200 m in depth it could lead to a split designation.

Therefore, it is recommended that the term “up to 200 metres” be deleted.

This would reinstate the policy of OPA 450, which has been in-force since 1996. If unusual circumstances are encountered they can be addressed through site specific policies in Volume 2.

l) Transportation: Identification of the Potential for the Northerly Extension of the Spadina Subway; and Status of the City’s Transportation Master Plan

The Spadina Subway Extension

The current terminus of the Spadina Subway is shown on Schedule 10 “Transit Network” as Highway 7. The actual end of track, including the station and tail track, is located well north of Highway 7. Policy 4.2.2.7 states that it is the policy of Council to support the further extension of the Toronto-York Spadina Subway in the Jane Street right of way and adjacent properties. To reinforce this policy, Schedule 10 should be amended to show the Spadina Subway extending north of Highway 7 to include the station and the tail track north of Highway 7. A dashed red-line should be added showing the conceptual routing of a future extension. The dashed line would veer eastward from the end of the tail track to Jane Street and then proceed north paralleling Jane Street to Major Mackenzie Drive. While staff recognize no funding is available for this planned extension staff feel that such an approach will help protect for the future.

Therefore, it is recommended that Schedule 10 “Transit Network” be modified by:

- By showing the “Subway Extension” as extending north of Highway 7 to correspond with the end of track as defined by the tail track;
- Adding a dashed red line, representing the “Conceptual Subway Extension” extend northeast from the end of track to Jane Street and then north paralleling Jane Street;
- Terminating the dashed red line at Major Mackenzie Drive; and
- The dashed line be shown on the Legend to Schedule 10 as “Conceptual Subway Extension”.

The Transportation Master Plan

The City is nearing completion of the Transportation Master Plan. It was one of the Master Plan exercises conducted as part of the Vaughan Tomorrow growth management program. It was the subject of a report to Committee of the Whole and it was directed that further consultation take place. It is expected that the final Transportation Master Plan will be approved sometime in the Fall of this year. This may result in the need to modify Schedule 9, “Future Transportation Network” to accommodate any changes that may emerge from Council’s approval of the TMP. Therefore, the “Recommendation” section of this report contains a request to the Region of York to modify Schedule 9 prior to the approval of VOP 2010 on the basis of Council’s action.

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m) Requests for the Site Specific Recognition of Existing Rights under the New Official Plan

Official Plans by statutory requirement are forward looking documents for guiding municipalities into the future. It is the intention that all development and redevelopment will ultimately occur in accordance with the Plan. However, it is necessary to ensure that property owners are treated fairly in the transition.

The City has received a number of requests for site specific recognition in VOP 2010 of:

- Existing uses and standards that are permitted in the current OP, and reflected in the zoning by-law, which are no longer compliant with the new Plan;
- Uses and standards that are permitted in the current official plan and zoning by-law but have not been built as yet.

There are two main concerns. First, there is a preference that properties that are already developed be fully compliant and in conformity with both the Official Plan and zoning by-law, notwithstanding their non-compliance with the new Official Plan. As a result there are requests to recognize the current permitted uses and obtain exceptions to any new development standards that would conflict with the existing approvals. The fear is that when the zoning by-law implementing the new Official Plan is enacted, reflecting the new requirements, the existing zoning would be changed making the uses and site, as developed, legal non-conforming.

Second, in the instances where the current official plan and zoning by-law permits a development and the development has not been acted upon as yet (issuance of a building permit), there are requests to recognize these approvals in the new Official Plan. If it is not recognized in the new Official Plan, the implementing zoning by-law will replace the old by-law, in conformity with the new Plan, and the old permissions will be lost.

There are a number of concerns about giving recognition to non-compliant uses that have shaped the responses to these requests. One concern is that such recognition cannot be time-limited. If there are dual approvals, integrating both the existing and new uses and standards, there is no incentive to make the transition to the new regime. In addition, having both permissions in place may result in developments that are not consistent with the long-term community vision. Developments that reflect a mix of the new and old uses and standards could result in a less than optimal site design that would be enduring. Finally, it is possible that recognizing the existing approvals while allowing the new uses may provide a competitive advantage over other properties. This could result in other landowners asking for amendments to the Plan to compete, which may ultimately compromise the Plan.

For these reasons the means of recognizing the existing uses and permissions identified in paragraphs n) and o) below is preferred.

n) Recognition of Legally Existing Uses

The purpose of policy 10.2.1.3 is to recognize legally existing uses as they exist at the time VOP 2010 was adopted. Under this policy such uses are deemed to conform to the Plan. The effect of this provision is to protect developments that are no longer in compliance with the new Plan by allowing minor extensions or expansions without an amendment to the Plan, subject to the intent of the Plan being maintained and a number of tests being met. Eventually, the affected lands would be expected to redevelop in a manner that conforms to the new Plan and the new implementing Zoning By-law.

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In the adopted VOP 2010, policy 10.2.1.3 is triggered by Council's adoption of the Plan, which took place in September 2010. This means that lands are still being legally developed in accordance with the current Official Plan, but they would not have the benefit of the protection of policy 10.2.1.3. Given the timing of the approval process, it could take a further 18 months to two years before the new Official Plan is fully approved by the Region/Ontario Municipal Board. The result is a potential three-year gap between adoption and approval.

On this basis it is appropriate to extend the protection provided by policy 10.2.1.3. It is recommended that the first sentence of the policy be revised to read:

To recognize legally existing land uses as they exist at the time this Plan is approved.

This will extend protection to lands that have been developed in non-compliance with the new Official Plan from September 7, 2010 to the time of approval of VOP 2010.

o) The Implementing Zoning By-law

The City is required to enact a new zoning by-law to implement the new Official Plan within three years of the Plan's approval. With full approval of VOP 2010 18 months to two-years away, it is expected that the public process associated with the preparation of the zoning by-law would commence in 2013. Typically, the preparation of a comprehensive zoning by-law takes a minimum of two to three years, taking into consideration their legal and planning complexity, the level of detail, the need for public consultation and the possibility of appeals to the Ontario Municipal Board. Therefore, the earliest the new by-law may be in effect would be sometime in 2015. Until that time, the City's current zoning by-law, By-law 1-88 as amended, would be the City's operative by-law.

The implementing zoning by-law is prepared to be in conformity with the newly approved official plan. In some instances this will result in the rezoning of properties in a manner that does not permit either the existing use or development form. Such uses would be allowed to continue as legal non-conforming uses. In cases where development has not taken place (i.e. a building permit has not been issued) the rights under the previous by-law are lost and the site must be developed in accordance with the new by-law.

This affords landowners that have existing zoning permissions approximately four years to obtain a building permit. While the standards or uses would become legal non-conforming with the new by-law, that use could continue indefinitely.

p) Regulation of Automobile Oriented Uses: Gas Stations and Drive-Through Facilities

One area of respondent concern are the policies addressing the location and design of automobile-oriented uses like Gas Stations and Drive-Through Facilities. Municipalities have legitimate concerns in regard to the siting and design of these uses as they can often conflict with other goals, particularly in Vaughan, which has a higher number of these uses compared to other municipalities. This has the potential to conflict with the *Places to Grow* mandate to achieve higher densities, transit oriented development and complete communities.

Automobile-oriented uses have the potential to erode the public realm and indirectly inhibit Vaughan's evolution to a more compact pedestrian-friendly, transit-supportive mixed-use urban form. As such, the City's main intensification areas need to be protected from uses that would detract from these objectives and policies and standards need to be put in place to ensure the required transformation.

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Staff have continued to review the responses from the industry groups representing the affected parties (Ontario Restaurant, Hotel and Motel Association and the Canadian Petroleum Products Association). Their fundamental concerns relate to the prohibition of drive-throughs, location restrictions on both uses, the status of existing sites and certain urban design requirements. They are also of the opinion that the Official Plan is not the appropriate device to apply detailed development standards and regulation; preferring instead an approach that relies more on the zoning by-law and urban design guidelines, based on policies in the Official Plan.

In response, staff are able to support a layered approach to the regulation of automobile-oriented uses that would engage VOP 2010, (Volume 1), the Secondary Plans (Volume 2), the implementing zoning by-law and detailed urban design guidelines. This would entail higher level policies in VOP 2010, Volume 1, with more detail being provided by the Secondary Plans. Secondary Plans are already in effect or will be prepared for the City's main intensification areas. It is noted that some existing Secondary Plans and Heritage Conservation District Plans already prohibit such uses.

The Official Plan policies would be implemented through the zoning by-law with the benefit of supportive urban design guidelines. Maintaining a high level of protection in the Official Plan, like a prohibition, would only be considered to address areas of strategic importance. The strong commitment to protecting the role, function and appearance of the intensification areas, subject to the secondary plans would remain throughout.

In response, staff recommend the following modifications to VOP 2010:

In respect of Automobile-Oriented Uses, replace Policy 5.2.3.7 regarding Drive-through Facilities with:

Automobile-Oriented Uses such as gas stations and drive-through facilities should only be located such that the use does not adversely affect the goals of intensification, pedestrianization, attractive streetscapes, transit supportiveness, or have an adverse impact on residential neighbourhoods. The Secondary Plans, Heritage Conservation District Plans and the implementing zoning by-laws shall provide policies, standards and restrictions to further regulate the use and development of automobile-oriented uses. Where permitted, automobile-oriented uses should be designed to achieve the following urban design objectives:

- a. provide for pedestrian safety, scale and comfort;
- b. be buffered from adjacent uses or the public street through appropriate landscaping;
- c. complement other surrounding uses;
- d. be compatible with existing and planned uses in the surrounding area;
- e. contribute to attractive streetscapes, views and sightlines;
- f. be oriented such that buildings are located close to the public street with direct pedestrian access from the public sidewalk;
- g. be separated from sensitive uses such as schools and residential areas with appropriate setbacks; and
- f. comply with City-initiated urban design guidelines to support the development of automobile-oriented uses in a manner consistent with the policies of this Plan.

In respect of permitted uses and restrictions on the location of gas stations in the following designations, the policies set out below be modified to read:

- 9.2.2.4 b ix (Mid-Rise Mixed-Use) Gas Stations, subject to the criteria of policies 9.2.3.9 and 5.2.3.9.

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- 9.2.2.6 b ix (High-Rise Mixed-Use) Gas Stations, subject to the criteria of policies 9.2.3.9 and 5.2.3.9.
- 9.2.2.7 b iv (Commercial Mixed-Use) Gas Stations, subject to the criteria of policies 9.2.3.9 and 5.2.3.9.
- 9.2.2.10 c v (Prestige Employment) Gas Stations, subject to the criteria of policies 9.2.3.9 and 5.2.3.9.

That policy 9.2.3.9 “Gas Stations” be replaced by the following:

9.2.3.9 The following policies and development criteria apply to Gas Stations:

- a. Gas Stations are facilities primarily for the sale of gasoline and other fuels. They are characterized by and called a “gas bar” with pumps and associated retail components. Car wash facilities are permitted as part of Gas Stations. Automobile repair and service facilities are only permitted as part of Gas Stations if located in an Employment Area;
- b. The following shall apply to the location of Gas Stations:
 - i. Such use should be located on arterial streets as indicated on Schedule 9;
 - ii. Such use is encouraged to locate at mid-block locations;
 - iii. Such use is limited to one per intersection.
- c. Extensive landscaping and buffering shall be provided along public street frontages and along property lines;
- d. Where a gas station contains a car wash, the car wash shall generally be located to the rear of the site with a generous setback from any Low-Rise Residential designation;
- e. Surface parking should be setback from any property line by a minimum of three metres and appropriately screened by landscaping.

Staff believe that these policies add a level of flexibility to VOP 2010, while still maintaining the opportunity for rigorous and targeted regulation to protect the City’s strategic intensification areas.

q) Flexibility in Application of the Block Plan Process

VOP 2010 provides that through the Secondary Plan process, the City will identify areas that will be subject to the Block Plan process. There are cases where lands already have a land use designation that would permit development but there is no mechanism for facilitating comprehensive development through a Block Plan. Therefore, providing flexibility in policy to require the preparation of Block Plan outside of areas where specific Secondary Plans do not apply, if necessary, would be of assistance. The incorporation of the following modified Policy 10.1.1.12 is recommended:

The City will identify areas subject to a Block Plan process through:

- a. The Secondary Plan process; or
- b. The development review process, to address complexities in smaller planning units, scoped as required in accordance with Policy 10.1.1.15.

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Relationship to Vaughan Vision 2020

The new Official Plan is addressed under the objective “Plan and Manage Growth & Economic Vitality”, including the following specific initiatives:

- Complete and implement the Growth Management Strategy (Vaughan Tomorrow);
- Conduct the 5-year comprehensive review of the Official Plan as part of the Growth Management Strategy 2031;
- Support and coordinate land use planning for high capacity transit at strategic locations in the City;
- Review the Vaughan Corporate Centre Vision; and
- Prepare an employment area plan for the Vaughan Enterprise Zone and employment lands.

Regional Implications

The new City of Vaughan Official Plan was prepared in consultation with Region of York staff. The Regional Official Plan was adopted in December 2009 and was approved by the Province on September 7, 2010. However, the Regional Official Plan has been appealed to the Ontario Municipal Board. Procedural matters and settlement discussions between the parties are now underway. It is anticipated that a potential Hearing may commence in June or July, 2012. The City's Official Plan has been designed to conform to the Regional Official Plan. Regional staff has undertaken a review of VOP 2010 and has provided a number of recommended modifications. These have been addressed in Attachment No. 1 – Part C. The recommendations in Part C have been discussed with Region of York staff and were found to be acceptable.

Next Steps

The changes to the Vaughan Official Plan – 2010 (Volume 1), as directed by Committee of the Whole as a result of this report, will be ratified by Council on September 27, 2011. The Plan will be revised to incorporate the required changes. The revised Plan, this report and the Council minute will be forwarded to the Region of York as the City's response to the requested modifications. This also includes modifications to the Plan initiated by the City for the purposes of policy adjustment or clarification. Receipt of this information will allow the Region to continue its approval process with the issuance of a Decision targeted for December of 2011.

Volume 2 to VOP 2010 and the five Secondary Plans were also adopted by Council on September 7, 2010. Modifications to these components of the Plan will proceed to a future Committee of the Whole meeting for consideration. This is expected to take place in the November-December 2011 time frame. The objective is to achieve Regional approval for Volume 2 in the first quarter of 2012.

Conclusion

The Vaughan Official Plan – 2010 was adopted by Council on September 7, 2010. It was forwarded to the approval authority, the Region of York, which has circulated the Plan for government and agency comment in accordance with the prescribed procedures and has received comments from the public and landowner interests. To complete its approval process it has requested the City's input on the comments and modification requests resulting from the public and agency review of the adopted Volume 1 of VOP 2010.

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Approximately 120 submissions were received from private citizens/landowners, development interests, interest groups, government bodies and public agencies. The submissions have been analyzed and where appropriate, recommendations have been developed to respond to the identified issues. These are set out in detail in Attachment No. 1 and in the “Key Policy Areas – Analysis and Recommended Modifications” section of this report. The approach taken to some of the major policy issues are discussed in the latter section.

Requests from the private and landowner interests for changes to the Plan were primarily focussed on specific areas of policy or specific lands which may be impacted by a policy or a land use designation(s). Each request for a change was considered on its merit taking into consideration the principles of the new Official Plan, the need to ensure continuing conformity with senior level policy direction (e.g. the Regional OP and the *Places to Grow* plan) and adherence to sound planning principles. In the latter instance, the City staff worked closely with Regional staff and staff from the TRCA to meet these objectives.

Following Council’s approval, this report and the Council minute will be forwarded to the Region of York. Receipt of this information will allow the Region to continue its approval process.

It is acknowledged that there may be issues that will not be resolved to the satisfaction of some of the respondents, prior to the Region’s approval of the new Official Plan. This may result in appeals, which may ultimately have to proceed to the Ontario Municipal Board. Settlement negotiations can occur in advance of and during any OMB proceeding if fruitful progress can be made.

The modifications recommended in this report fundamentally maintain the vision and structure of the new Official Plan as it evolved through the Official Plan Review and *Vaughan Tomorrow* processes. Therefore it is recommended that the City of Vaughan Official Plan, Volume 1, as adopted on September 7, 2010, be modified in accordance with the recommendations contained in this report; and that this report be forwarded to the Region of York for consideration in the Regional approval process.

Attachments

1. Summary of Submissions – Proposed Modifications, Staff Comments and Recommendations: City of Vaughan Official Plan (Volume 1), September 7, 2010.
 - **Part A:** Index of Correspondence for Part B;
 - **Part B:** Vaughan Official Plan 2010 (Volume 1) - Summary of Respondents Requests/Staff Comments and Recommendations;
 - **Part C:** Vaughan Official Plan 2010 (Volume 1) - Regional Municipality of York Requests/Staff Comments and Recommendations;
 - **Part D:** Vaughan Official Plan 2010 (Volume 1) - Toronto and Region Conservation Authority Requests/Staff Comments and Recommendations;
 - **Part E:** Vaughan Official Plan 2010 (Volume 1) - Mapping and Recommended Changes;
 - **Part F:** Vaughan Official Plan 2010 (Volume 1) - City Staff Comments and Recommendations.
2. Consolidated Version of the Modified Section 3, “Environment”
3. GTA West Corridor - Preliminary Route Planning Study Area
4. Respondent Submissions to York Region (Mayor and Members of Council only.)

Report prepared by:

Roy McQuillin, Manager of Policy Planning x. 8211

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

Regional Councillor Di Biase declared an interest with respect to the Block 27 portion of the subject matter as his children have had a long standing interest in a parcel of land in the area within Block 27.

Councillor DeFrancesca declared an interest with respect to the portion of the subject matter dealing with Rizmi Milani Lands, particularly 135YR and 154YR, in that she is a respondent to an application brought by Mrs. Milani.