

BUDGET COMMITTEE DECEMBER 7, 2004

**HIGHWAY 400 NORTH EMPLOYMENT AREA
SECONDARY PLAN STUDY
TERMS OF REFERENCE**

RECOMMENDATIONS

The Commissioner of Planning in consultation with the Commissioner of Finance & Corporate Services and the Director of Reserves & Investments recommends:

1. THAT a Request for Proposals be prepared based upon the attached draft Terms of Reference for the Highway 400 North Employment Area Secondary Plan Study;
2. THAT, following Council direction, the study commence under a Request for Proposals at a cost not to exceed \$160,000.00;
3. THAT notwithstanding Council's policies that no service category in a pre-financing position (deficit) be increased and that no commitment be more than 50% of anticipated revenues for any service category that is already in a pre-financed position, Council provide direction as to the inclusion of this study in the amount of \$160,000 (funded \$16,000 from Taxation and \$144,000 from City-Wide Development Charges – Management Studies) in the Proposed 2005 Capital Budget; and
4. THAT the attached Draft Terms of Reference recommended by staff be considered and adopted by the Committee and forwarded to Council for approval at its January 24, 2005 Meeting.

Purpose

The purpose of this report is to present Draft Terms of Reference for an employment area land use planning study, secondary plan and urban design guidelines for the concession blocks from Teston Road and the King Vaughan municipal boundary between Weston Road and Jane Street, an area situated on both the east and west side of Highway 400 within Blocks 34 and 35.

The Draft Terms of Reference also include provision for the study to establish the case for a formal request to the Region of York to expand the current Urban Area Boundary in the Region of York Official Plan in this area to permit employment use development to proceed.

Background

In June of 1998, Vaughan Council directed that staff proceed with an employment area review for the lands known as the Employment Secondary Plan Study Area.

A Phase 1a report was conducted jointly with the Region of York and included an analysis of the City's employment lands needs. The study also identified the extent to which the 'West Vaughan' lands to the north of the currently designated employment lands could accommodate those needs. In addition to identifying the employment lands needs for the City, the report also indicated that the ultimate timing of a secondary plan for the West Vaughan Area employment lands will be affected by the results of the Province's Highway 427 route selection study.

On the basis of the City's Phase 1 study, the Region of York proceeded with an amendment to the York Region Official Plan changing the designation of the West Vaughan lands in the Region's Official Plan from "Agriculture Policy Area" and "Rural Policy Area" to 'Urban Area'. Region of York Official Plan Amendment Number 19 (ROPA 19) was approved by the Minister of Municipal Affairs and Housing on October 22, 2001. The City's Official Plan Amendment No.

600, approved by York Region on June 29, 2001, designates this area as an "Employment Secondary Plan Study Area".

The 1998 Employment Land Needs study identified an existing employment land supply of about 3,000 acres. The study used historical employment land absorption rates as well as the, then, most recent Regional employment forecasts and identified an employment land supply that was approaching a 10-year supply. Currently, after six years of strong employment land absorption, the City's employment lands needs have reached a serious shortfall.

This situation has been further exacerbated by the lack of progress by the Province of Ontario respecting the completion of the Environmental Assessment for the Highway 427 corridor extension.

In December of 2003 the Provincial Government introduced the Greenbelt Protection Act placing a freeze on new development and initiating steps towards environmental protection and growth management plans and policies in the Greater Golden Horseshoe (GGH). This initiative was followed by the release of three Planning Reform Discussion papers in June 2004 (including a draft Provincial Policy Statement), the "Places to Grow" Growth Plan for the GGH in July 2004, and the draft Greenbelt Plan and legislation in October. Within the study area, much of Block 34 west (bounded by Weston Road, Kirby Road, Highway 400 and Teston Road) and some portions of the area north of the King/Vaughan Road are included in an area to be protected by the Greenbelt Plan and would not be available for development.

In addition, the draft "Places to Grow" plan, a plan that would override the Provincial Policy Statement in the event of any conflict, has two policies that may affect employment area development in Vaughan. On the one hand, the Plan indicates the importance of providing a transportation system to support goods movement including intermodal facilities that provide key connections between rail and trucking modes and therefore that also have "ready access to major highways". On the other hand, the "Places to Grow" plan also indicates that the Highway 427 extension is not an immediate provincial priority. The uncertainty created by these two positions has the potential further delaying development of employment areas in West Vaughan.

In consideration of the above it is timely that the City of Vaughan should proceed to initiate plans for expanding its near-term employment lands supply wherever possible.

In this regard, it should be noted that Official Plan Amendment 600 redesignated 35 hectares (86 acres) in Block 33 West along Highway 400, immediately south of the study area to "High Performance Employment Area" permitting high quality employment uses, as well as retail and office commercial uses. This was done to add to the supply of available employment lands while at the same time placing a "buffering" line of employment uses development between residential development to the west and Highway 400. This approach would appear to be equally justified for the lands either side of Highway 400 north of Teston Road.

Analysis

This study is proposed in consideration of the uncertainty respecting the timing of employment lands being made available for development in the Employment Secondary Plan Study Area and the merits associated with locating and protecting for employment uses along major highways.

The study must not only establish an appropriate land use policy structure for the study area and an accompanying set of urban design guidelines, but also make a compelling and technically justifiable case to the Region of York to expand the Urban Boundary in this area to allow development to proceed.

This study will require that qualified consultants be retained to carry out the work under the project management of City staff. The cost of this study and the preparation of the Official Plan Amendment, implementation Zoning By-law and the urban design guidelines will be \$160,000.00.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities previously set by Council; however, the necessary resources have not yet been allocated or approved in the 2005 Capital Budget.

Conclusion

Should Council direct, Staff will proceed to undertake this study as follows:

- (i) Following Council's approval of the Terms of Reference and the required funding, staff will proceed, through the City's tendering process, to retain the services of a consultant team to carry out the work at a cost not to exceed \$160,000.00;
- (ii) THAT notwithstanding Council's policies that no service category in a pre-financing position (deficit) be increased and that no commitment be more than 50% of anticipated revenues for any service category that is already in a pre-financed position, Council provide direction as to the inclusion of this study in the amount of \$160,000 (funded \$16,000 from Taxation and \$144,000 from City-Wide Development Charges – Management Studies) for consideration during the Proposed 2005 Capital Budget deliberations;
- (iii) The study will commence in early 2005 following this process and Council's approval of the consultant; and
- (iv) This study is expected to be completed by fall 2005.

Report prepared by:

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Attachments:

1. Location Map – Study Area
2. Draft Terms of Reference

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

DIANA BIRCHALL
Director of Policy Planning Policy/Urban Design

/LG

ATTACHMENT "2"

HIGHWAY 400 NORTH EMPLOYMENT AREA SECONDARY PLAN STUDY DRAFT TERMS OF REFERENCE

1.0 BACKGROUND/CONTEXT

a. Location:

The lands subject to this review are located between Weston Road on the west and Jane Street on the east, along the east and west sides of Highway 400 between Teston Road and the King/Vaughan boundary line. This area is outside the "Urban Area" designated in the Region of York Official Plan. Therefore this area is not designated as employment lands by Official Plan Amendment No. 450, adopted by Council in 1994.

b. OPA 450 Employment Land Needs Study:

By way of background, in June of 1998, Vaughan Council directed that staff proceed with an employment area review known as the "Vaughan Employment Area OPA 450 Review". The terms of reference for the review included three phases that consisted of:

- 1) Determining the required employment lands (Phase 1a) and, a Highway 427 Route Selection Study in the form of an Environmental Assessment (Phase 1b);
- 2) Allocation of the employment lands through a comprehensive secondary plan study to the necessary employment lands (Phase 2); and
- 3) Preparation of implementing Official Plan amendments.

The Phase 1a report was conducted jointly with the Region of York and included an analysis of the City's employment lands needs. The study also identified the extent to which the 'west Vaughan' lands to the north of the currently designated employment lands could accommodate those needs. In addition to identifying the employment lands needs for the City, the report also indicated that the ultimate timing of a secondary plan for the west Vaughan area employment lands will be affected by the results of the Province's Highway 427 route selection study.

c. Regional Official Plan Amendment No. 19 and Vaughan OPA 600:

On the basis of the City's Phase 1 study, the Region of York proceeded with an amendment to the York Region Official Plan changing the designation of the west Vaughan lands in the Region's Official Plan from "Agriculture Policy Area" and "Rural Policy Area" to 'Urban Area'. Regional of York Official Plan Amendment Number 19 was approved by the Minister of Municipal Affairs and Housing on October 22, 2001. As noted above, the City's Official Plan Amendment No. 600 (approved by York Region on June 29, 2001) designates this area as an "Employment Secondary Plan Study Area".

d. Employment Land Shortfall:

The 1998 Employment Land Needs study identified an existing employment land supply of about 3,000 acres. The study used historical employment land absorption rates as well as the, then, most recent Regional employment forecasts and identified an employment land supply that was approaching a 10-year supply. Currently, after six years of strong employment land absorption, the City's employment lands needs have reached a serious shortfall of approximately a two (2) year supply.

This situation has been further exacerbated in the West Vaughan Employment Area by the lack of progress by the Province of Ontario respecting the completion of the Environmental Assessment for the Highway 427 corridor extension. The final decision on a corridor/route for the extension of Highway 427 is not expected to be determined in the foreseeable future.

e. Recent Provincial Initiatives:

In December of 2003 the Provincial Government introduced the Greenbelt Protection Act placing a freeze on new development and initiating steps towards environmental protection and growth management plans and policies in the Greater Golden Horseshoe (GGH). This initiative was followed by the release of three Planning Reform Discussion papers in June 2004 (including a draft Provincial Policy Statement), the "Places to Grow" Growth Plan for the GGH in July 2004, and the draft Greenbelt Plan and legislation in October (to be put into force on December 16, 2004). Within the study area, much of Block 34 west (bounded by Weston Road, Kirby Road, Highway 400 and Teston Road) and some portions of the area north of the King/Vaughan Road are to be protected by the Greenbelt Plan and would not be available for development under the Greenbelt Plan.

In addition, the draft "Places to Grow" plan, that would override the Provincial Policy Statement in the event of any conflict, has two policies that may affect employment area development in Vaughan. On the one hand, the Plan indicates the importance of providing a transportation system to support goods movement including intermodal facilities that provide key connections between rail and trucking modes and therefore that also have "ready access to major highways". On the other hand, the "Places to Grow" plan also indicates that the Highway 427 extension is not an immediate provincial priority. The uncertainty created by these two positions has the potential further delaying development of employment areas in the ROPA 19/OPA 600 Employment Secondary Plan Study Area.

The "Places to Grow" plan also conceptually identifies an "Economic Corridor" running across the northern portion of the City westerly from Highway 400. This conceptual corridor extends westerly towards the Kitchener-Waterloo area. The draft planning document also identifies this area as potentially a future growth area and provides criteria for considering urban boundary expansion.

f. Staff Comment:

In consideration of the above it is timely that the City of Vaughan should proceed to initiate plans for expanding its near-term employment lands supply wherever possible.

In this regard, it should be noted that Official Plan Amendment 600 redesignated 35 hectares (86 acres) in Block 33 West along Highway 400, immediately south of the study area to "High Performance Employment Area" permitting high quality employment uses, as well as retail and office commercial uses. This was done to add to the supply of available employment lands while at the same time placing a "buffering" line of employment uses development between residential development to the west and Highway 400. This approach would appear to be equally justified for the lands either side of Highway 400 north of Teston Road.

2.0 PURPOSE

The purpose of this study is twofold:

- i) To determine and establish an employment uses secondary plan, zoning by-law and urban design guidelines for the study area; and,
- ii) To establish the case for a request to the Region of York to expand the current Urban Boundary in this area to permit employment area development to proceed.

3.0 GOAL

It is the Goal of this study to review and assess all employment land uses suitable to the study area and to examine planning policies to determine the appropriate secondary plan policies, zoning regulations and urban design guidelines to establish in this area for employment uses.

4.0 OBJECTIVES

The Objectives of this study are:

- To determine the location and scale of appropriate employment area land uses for the Study Area, including Prestige Areas and Employment Area General uses as identified in OPA 450.
- To assess the need for new developable employment areas within the City of Vaughan in general, and in particular the near-term potential for establishing such uses within the Study Area
- To identify the major servicing systems and strategy for the employment lands.
- To identify sensitive environmental features including valley and stream corridors
- To produce conceptual lot, block and supporting local and regional road options.
- To prepare a Secondary Plan that will form an amendment to the City's employment area official plan – OPA 450 and an accompanying zoning by-law and urban design guidelines.

- To prepare the appropriate documents necessary to establish the case for a formal request to the Region of York to expand the Urban Area Boundary in the Region of York Official Plan in this study area to permit employment uses to proceed.

5.0 CONSULTING RESOURCES

This study will require the following skills:

- land use planning and policy development, including experience preparing zoning by-laws
- transportation planning and engineering
- urban design
- environmental planning and design
- land and development economics, in particular for employment land uses
- public stakeholder consultation, including the private sector and the Provincial and Regional governments
- other skills as may be justified by the consultant's proposal

6.0 CONTENT OF PROPOSALS

The consultant will be recommended to Council on the basis of a formal evaluation of a written Proposal and, if required, interview(s) held by City Staff.

Following the release of the Request for Proposals, staff will schedule one Proponents Information Meeting briefing session in advance of the submission deadline to discuss the Terms of Reference with all interested consultants.

The written proposals shall contain the following information:

- members of the consulting team and their qualifications
- a description of the proposed approach to be taken and an understanding of the requirements of the project
- three examples of similar or related projects undertaken by the consultant
- a comprehensive workplan describing how the work is to be carried out, including a timeline chart indicating all tasks, milestones, meetings (including meetings with the public), and key dates which fulfill this Terms of Reference
- an upset cost for completing the project, which includes a breakdown of the hourly rates of each of the participants, and an the anticipated hourly commitment of each by task. (Note: All costs associated with the work are to be included within the upset limit of this study.)
- allocation of working time and resources to each phase of the review based on the draft workplan
- a list of no more than three client references in respect of similar work

Five bound copies of the Proposal in an 8 ½ "x 11" format shall be submitted. The maximum length of the proposal shall be 10 pages exclusive of resumes, references and documentation related to experience.

7.0 WORKPLAN

The Work Plan will be finalized at an initial meeting with City Staff when minor adjustments to the Work Program will be discussed with the City. Commencement of this project will be subject to arriving at a mutually acceptable work program at this meeting.

8.0 CONFLICT OF INTEREST

In the proposal the consultant shall indicate the type and number of projects it is currently undertaking which may conflict with the conduct of this study. If the City is of the opinion that a conflict exists, then the consultant, at the sole discretion of the City, will be disqualified from the competition. This matter may be discussed with City Staff prior to the submission of the Proposal.

9.0 DELIVERABLES

Deliverables are:

- i) a comprehensive Study Report (in support of);
- ii) an Official Plan Amendment;
- iii) an implementing zoning by-law; and,
- iv) urban design guidelines.

The Consultant is to provide a presentation on these deliverables to a future Committee of the Whole meeting including any recommendations pursuant to the Planning Act.

Reports shall be provided on the following basis:

- 15 stapled or bound copies;
- 1 print ready copy
- 1 electronic version in a format compatible to the City of Vaughan

10.0 TIMING

- The study will commence immediately following direction from Council.
- The study is to be complete by Fall 2005.
- The Consultant will bring a report to a future Committee of the Whole meeting outlining the results of the land use study, and including recommendations pursuant to the Planning Act to address development in the Area.

11.0 PROJECT MANAGER

The Project will be carried out under the supervision of a Project Manager in the City of Vaughan Policy Planning and Urban Design Department. The Project Manager will be responsible for:

- day-to-day administration of the study;
- the reporting relationship to Council and Committees of Council;
- obtaining approvals for the time, location, format and date of any public presentations related to the study, in consultation with the consultant;
- the provision of City-owned data, necessary to the conduct of the study;
- monitoring the consultant's work for conformity with the terms of reference
- receipt and processing of invoices.

12.0 SUPPORTING INFORMATION

- A package of background information will be made available for review at the City of Vaughan Community Planning Department. It is recommended that these documents be reviewed prior to the preparation of the proposal:
 - OPA 450 – Employment Area Growth Management Plan
 - OPA 600 - Growth Management Plan
 - City of Vaughan Employment Area (OPA 450) Review - Phase 1 Update on Employment Land Needs 1999
 - Zoning By-law 1-88