

**1. VAUGHAN CENTRE SECONDARY PLAN
NORTHEAST JANE RUTHERFORD STUDY
FILE OPA 607**

P.2004.75

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing for File OPA 607 (Vaughan Centre Secondary Plan-Northeast Jane Rutherford Study) BE RECEIVED, and that the issues identified by the public and Council be addressed by Staff in a report to Committee of the Whole for June 28, 2004.

Purpose

The purpose of this report is to summarize the key elements of the City-initiated Secondary Plan in the form of an amendment to OPA 600 for the Vaughan Centre Secondary Plan–Northeast Jane Rutherford.

Location

The Vaughan Centre Secondary Plan – Northeast Jane Rutherford is approximately 23 ha (56.8 acres) in size, located at the northeast corner of the intersection of Jane Street and Rutherford Road. The boundaries of the Plan are identified on Schedule “A” of Attachment 1.

Background

Process Followed to Prepare the OPA

On February 9, 2004, Council approved the Terms of Reference for the Vaughan Centre Secondary Plan-Northeast Jane Rutherford.

On April 22, 2004, a Public Information Meeting was held to introduce the study, the consulting team, the workplan, and a range of land use options. Approximately 30 people attended the meeting. Comments were received from the “Family of Maple Schools” and households in the area. Most of the comments preferred the non-residential options because of concerns regarding school and community facility capacity, and noise in the area. A meeting and site visit was also held with a study area landowner.

A presentation was made to the Committee of the Whole (Working Session) on May 11, 2004 to review the land use options and summarize the issues related to land use, transportation, noise, servicing, environment, and urban design. The preliminary preferred option was identified as office commercial uses, with the potential opportunity for residential uses on the immediate northeast corner of Jane Street and Rutherford Road.

A Public Information Meeting was held on May 25, 2004 to advise the public on the progress of the study, to update the status of the Ontario Municipal Board Hearing in the amendment area (scheduled for August 16, 2004), and to identify and obtain comments on the proposed land use options under review by the study team.

Notice of this statutory Public Meeting was distributed to property owners in and surrounding the study area, to attendees at previous public meetings, and was advertised in the Vaughan Weekly on May 27, 2004.

The consulting team further refined the preferred land use option and the attached draft Official Plan Amendment Number 607 was made available to the public on June 1, 2004.

Existing Uses

At the north end of the amendment area, the lands fronting onto Jane Street consist of an open field with the valley land behind. An unused model home sales pavilion currently occupies the property. To the south of this property, CN Rail owns lands that function as a pullback track to CN Rail's MacMillan Classification yard. To the south of these lands and on the immediate northeast corner of Jane Street and Rutherford Road, a currently vacant detached bungalow having access from Jane Street, is set at the convergence of tributaries to the Don River Valley system that divides the property. Storage containers are also located on the property and it appears soil has been stockpiled on the site.

Official Plan

OPA 600 does not specifically provide a land use designation for the lands in Vaughan Centre east of Jane Street. Section 4.1.1 of OPA 600 indicates that the Vaughan Centre shall be the subject of a secondary planning study to more specifically define the range and densities of permitted uses and establish transportation, environmental, servicing and land use policies. The draft OPA 607 and supporting study fulfills this requirement.

Zoning

The study area is part of the Vaughan Centre Secondary Plan Area, as defined by OPA 600. The land north of the CN Rail property is zoned A Agricultural Zone and OS Open Space Zone by By-law 1-88, subject to site specific Exception 9(893). To the south of the CN Rail property, the land is zoned A Agricultural Zone and OS Open Space Zone, subject to site specific Exceptions 9(669) and 9(801). The CN pullback track is zoned M3 Transportation Industrial Zone.

Development Applications

On January 21, 2003 and February 27, 2003, Jane Ruth Developments Inc. submitted applications for amendments to the Official Plan and Zoning By-law for the lands south of the CN pullback track. The owner filed an appeal to the OMB on the basis that Council did not consider the application within the time frames pursuant to Section 34(11) of the Planning Act. An OMB hearing with respect to this application is scheduled for August 16, 2004.

Analysis and Options

A Study Team conducted an analysis of the overall constraints and opportunities for development on the subject area and conducted background research on the following issues:

- Land use context
- Transportation
- Noise
- Servicing
- Environment
- Urban Design

Consultation with community agencies, stakeholders, and City departments were also conducted for input and comments. Based upon the background analysis and consultation, the following four (4) land use options were generated:

1. High Density and Office / Commercial
2. Mixed Density and Office / Commercial
3. Office / Hotel And Commercial
4. General Commercial

Based on technical analysis from the noise and traffic study, agency comments and public/landowner input, a preferred option plan was developed. Key elements that form the plan include:

i) Land Use Structure

The plan incorporates a High Density Residential/Commercial designation on the immediate northeast corner of Jane Street and Rutherford Road. Office and hotel development is identified as the “priority use”, and high density residential development is an alternative use should office and/or hotel development prove to be impractical due to market feasibility. General Commercial uses are permitted on the remainder of the lands north of the CN Rail property and south from the CN Rail property to the valley lands.

ii) Noise Policies

Due to the noise issues from the CN pullback track and Paramount Canada's Wonderland Kingswood Theatre, sensitive residential development is limited to beyond 300 metres south of the CN property at the immediate northeast corner of Jane Street and Rutherford Road.

iii) Environmental Enhancement

The plan intends all development on tablelands provide for environmental enhancement of the valley and Don River tributary.

iv) Servicing

The site is subject to OPA 600 implementation policies regarding stormwater management, water servicing, sanitary servicing and capacity.

v) Uses and Density

The Jane Street/Rutherford Road corner uses provide for an office/hotel use of up to an FSI of 1.0, or a high density residential use at an FSI of 2.0 or 150 units/ha. The general commercial uses on the remaining developable lands reflect those identified in OPA 600.

vi) Transportation

Potentially two (2) signalized intersections will be located along Jane Street on the lands north and south of the CN Rail property. Road access should be in co-ordination with surrounding developable areas and be consistent with the context of the Vaughan Centre.

vii) Urban Design

The plan designates the Jane Street/Rutherford Road corner as a “High Density Residential/Commercial Area-Special Policy” and the location of a prestigious “landmark” development. In addition, an urban design plan is required to be reviewed and approved by the City, along with the implementing zoning by-law, that provides for streetscape elements, pedestrian and transit access and building locations.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities previously set by Council insofar as Vaughan Vision 2007 encourages managed growth through the implementation of OPA 600. The necessary resources were allocated and approved by Council upon adoption of the terms of reference.

Conclusion

The above issues, but not limited to, will be considered in the technical review of the application, together with comments from the public and Council expressed at the Public Hearing and be addressed in a comprehensive report to a future Committee of the Whole meeting.

Attachments

1. Draft Official Plan Amendment 607
2. Vaughan Centre Secondary Plan-Northeast Jane Rutherford Study (Councillors Only)

Report prepared by:

Clement Chong, Planner 1, ext. 8214
Rob Gibson, Senior Planner, ext. 8409

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

WAYNE McEACHERN
Manager of Policy

/LG

ATTACHMENT 1

AMENDMENT NUMBER 607 TO THE OFFICIAL PLAN OF THE VAUGHAN PLANNING AREA

The following text and Schedules "A" and "B" constitute Amendment Number 607 to the Official Plan of the Vaughan Planning Area.

Also attached hereto but not constituting part of the Amendment is Appendix "I".

I PURPOSE

The purpose of this Amendment to the Official Plan is to:

1. Respond to the policies of OPA 600 which require the preparation of a secondary plan, in the form of an Official Plan Amendment, to guide future development within the Vaughan Centre Secondary Plan Area.
2. To establish an appropriate range of land uses within the study area having regard for the overall land use context of the area, together with City, Regional and Provincial planning policies.
3. Establish policies to guide the development of the lands in terms of density, transportation, environment and urban design.

II LOCATION

1. The Subject Lands are shown on Schedule "A" attached hereto as "Area Subject to Amendment Number 607". The area is bounded by Rutherford Road to the south, Jane Street to the west, Springside Road to the north, and a tributary of the West Branch of the Don River to the east.
2. The study area comprises approximately 16.1ha (39.8 acres) located at the northeast quadrant of Jane Street and Rutherford Road, in the City of Vaughan. The CN pullback track, being a component of the CN MacMillan Yard that extends to the south and east of the Amendment Area, divides the study area into two discreet areas. The tableland portion of the Amendment Area contains a total of approximately 9.7ha (23.9 acres), including a 5.1ha (12.62 acre) parcel located north of the CN pullback track and a 4.6ha (11.4 acre) area located to the south, which is further dissected by a tributary of the Don River. The area also includes approximately 7.6ha (18.7 acres) of valleyland south of the CN pullback track associated with a tributary of the West Branch of the Don River, and 3.1ha (7.7 acres) of valleyland to the north of the CN pullback track.

III BASIS

The decision to amend the Official Plan is based on the following considerations:

1. OPA 600 provides that the Vaughan Centre Secondary Plan Area shall be the subject of studies respecting urban design, land use integration, transportation and public transit, servicing, municipal and community facility needs and requirements, to ensure that it develops in a manner consistent with the City's policy and development objectives. OPA 483 and OPA 505 established secondary plan policies for the majority of Vaughan Centre west of Jane Street. These policies were subsequently consolidated into OPA 600. A secondary plan is now required for the remaining lands within Vaughan Centre located east of Jane Street.
2. A land use study was undertaken in response to the requirements of OPA 600, entitled the North East Jane Rutherford Land Use Study, June 2004. The results of the study concluded that a mix of office commercial, tourism commercial, general commercial and potentially residential uses were appropriate for the study area.
3. Supporting traffic and noise studies were undertaken as part of the study program, which support the land use designations.
4. The amendment establishes comprehensive policies to address the range of permitted uses, density, traffic requirements, noise constraints and in particular, the CN pullback track and environmental policies.

5. Public consultation was an important element of the secondary plan study. The proposed amendment was considered by Council at a formal Public Hearing, pursuant to the Planning Act.

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

1. Schedule "B1" to OPA 600 is hereby deleted and replaced with Schedule "B1" attached hereto as Schedule "B".

2. Section 4.1.1, Vaughan Centre Secondary Plan Area and Vaughan Corporate Centre of OPA 600 is hereby amended as follows:

- a) Subsection (iv) is amended by deleting the last two sentences in the subsection as the secondary planning studies are now complete, and by correcting an editorial error in the first sentence by replacing the words following the word "entertainment" in the first sentence with the following:

"...and tourism oriented uses as shown on Schedule "B1" for that portion of Vaughan Centre Secondary Plan Area north of Rutherford Road..."

- b) The addition of a new subsection, as follows:

- "(vii) The long-term protection of the CN Rail Yard function is important to the employment land base and economy of Vaughan and should be protected from incompatible land uses. Accordingly, new residential development and other sensitive land uses which may be impacted by noise or vibration will not be permitted within 300 metres of the CN pullback track.

Any residential development and other sensitive land uses between 300 metres and 1000 metres of the CN pullback track will be required to undertake noise studies, to the satisfaction of the City, in consultation with CN Rail, to identify any appropriate measures necessary to mitigate any adverse effects from noise impacts identified.

All proposed development adjacent to the railway right-of-way shall ensure that appropriate safety measures such as setbacks, berms and security fencing are provided, to the satisfaction of the City and CN Rail."

3. Section 4.2.1.4, High Density Residential/Commercial Areas of OPA 600 is amended by the addition of the following subsection:

- "(ix) Land located within the Vaughan Centre Secondary Plan at the northeast corner of Jane Street and Rutherford Road is designated "High Density Residential/Commercial Area – Special Policy". Within this area, the following will apply:

- The site shall be developed with a prestigious "landmark" development
- Access to the site shall be co-ordinated with access to the balance of the Vaughan Centre area east of Jane Street and south of the CN pullback track. This will include a crossing of the tributary to the north of the High Density Residential Commercial Area. Access and intersection locations are indicated conceptually on Schedule "A"
- All development shall provide for the environmental enhancement of the tributary of the Don River, to the satisfaction of the City and the Toronto and Region Conservation Authority

- Permitted commercial uses shall be an office building and/or hotel development and related facilities, preferably in a campus format, incorporating lands north the Don River tributary. Such use is the priority use for the site. The density of such development shall generally be 1.0 FSI (Floor Space Index), but may be greater subject to a traffic study acceptable to the City and Regional Municipality of York
- Alternately, a high density residential development may be permitted on the site, subject to the provisions of this Plan and provided that:
 - development shall have a maximum of 2.0 FSI
 - notwithstanding Section 4.2.1.4(iii), the maximum density shall generally be 150 units per hectare and may be greater, subject to a traffic study acceptable to the City and Regional Municipality of York
 - the proposed development shall identify features and facilities to be provided as an integral component of the development to assist in pedestrian circulation and accessibility from the site to other areas of the Vaughan Centre, including the planned District Commercial Centre and Transit Station. Such features and facilities are to be identified through a Pedestrian Circulation and Accessibility Study in support of the proposed development
 - the overall design of the proposed development satisfies the City objective that the site be developed with a prestigious landmark development.”

4. Section 4.2.2.2, Vaughan Centre Secondary Plan and Vaughan Corporate Centre, subsection (vii) is amended by the addition of the following bullet point:

- “An urban design report shall be submitted for lands on the east side of Jane Street within Vaughan Centre. Such report may be submitted as two separate reports, addressing the lands north of Rutherford Road to the CN pullback track and south of Springside Road to the CN pullback track.”

The urban design plan shall address the streetscape with respect to landscape, pedestrian and transit elements, building locations and their relationship to complement the public street, the placement of parking areas so as to not dominate the streetscape, the provision of cohesive architectural features, and such other matters as may be defined by the City.

Such urban design plan shall be reviewed and approved by the City concurrent with the consideration of any implementing zoning by-law.

5. Section 4.2.2.6, General Commercial of OPA 600 is amended by the addition of the following subsection:

- “(v) Land located within the Vaughan Centre Secondary Plan on the east side of Jane Street are designated General Commercial – Special Policy. Within this area, the following will apply:

- Permitted uses shall be as defined in Section 4.2.2.6(iv)
- Notwithstanding any provision of Section 4.2.2.7, service stations and gas bars shall not be permitted

- The City shall define in the implementing zoning by-law the specific commercial uses permitted within the areas north and south of the CN pullback track having regard to compatibility with existing and planned uses in the vicinity, traffic requirements and other matters as determined by the City
- Access to the General Commercial area north of the CN pullback track shall be co-ordinated with an internal access route to a signalized intersection opposite Auto Vaughan Drive. Access to the General Commercial area south of the CN pullback track shall be co-ordinated with an internal access route to a signalized intersection on Jane Street south of the CN pullback track. The internal access route shall also provide connection to the High Density Residential Commercial lands south of the tributary of the Don River. Access and intersection locations are indicated conceptually on Schedule A.”

V IMPLEMENTATION

Section 10, Implementation of OPA 600 shall apply.

VI INTERPRETATION

Section 12, Interpretation of OPA 600 shall apply.

APPENDIX 1

RECORD OF COUNCIL ACTION

The subject lands are located in the Vaughan Centre Secondary Plan to the north and east of Jane Street and Rutherford Road, being Part of Lots 16 and 17, Concession 4, City of Vaughan.

On January 26, 2004 Council resolved to undertake a comprehensive land use study for the lands within the Vaughan Centre Secondary Plan Study Area. On February 2, 2004 Committee of the Whole considered the following recommendation contained in the report of the Commissioner of Planning:

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

Council adopted the recommendation of the Commissioner of Planning without amendment on February 9, 2004.

On May 11, 2004 Committee of the Whole (Working Session) considered the following recommendation from the Commissioner of Planning:

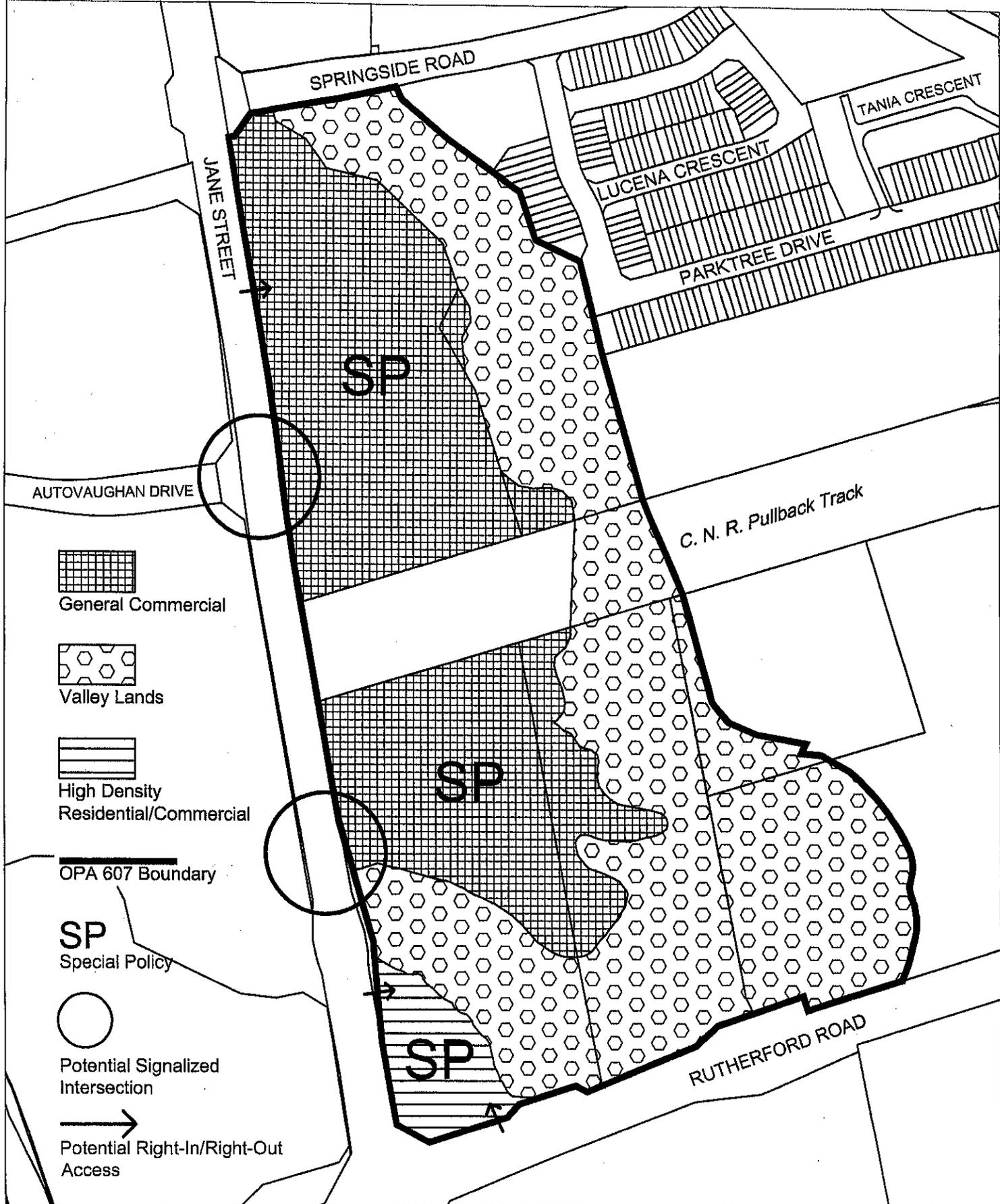
"THAT the presentation by John Stevens of J.H. Stevens, Planning + Development Consultants BE RECEIVED; and

THAT a Public Information Meeting be held on Tuesday, May 25th for further input to the study and final recommended land use option."

On May 11, 2004 Committee of the Whole (Working Session) adopted the following recommendation:

- "1. That the recommendation contained in the following report of the Commissioner of Planning, dated May 11, 2004, be approved;
2. That a comprehensive report be forwarded to the Committee of the Whole (Public Hearing) Meeting of June 21, 2004; and
3. That the presentation of Mr. John Stevens of J.H. Stevens, Planning +Development Consultants, and presentation material submitted, be received."

On May 25, 2004 Council adopted without amendment the Committee of the Whole (Working Session) recommendation.



SCHEDULE 'A'

OPA 607

VAUGHAN CENTRE
SECONDARY PLAN



LEGEND

- (ES) ELEMENTARY SCHOOL
- (NP) NEIGHBOURHOOD PARK
- (SW) STORM WATER MANAGEMENT
- (DC) DISTRICT COMMERCIAL CENTRE
- SP SPECIAL POLICY
- [Diagonal lines] LOW DENSITY RESIDENTIAL
- [Cross-hatch] MEDIUM DENSITY RESIDENTIAL/COMMERCIAL
- [Dotted] GENERAL COMMERCIAL
- [Horizontal lines] HIGH DENSITY RESIDENTIAL/COMMERCIAL
- [Vertical lines] VALLEY LANDS
- [Dashed line] GREENWAY SYSTEM
- [Thick solid line] PRIMARY ROAD
- [Thin solid line] VAUGHAN CENTRE SECONDARY PLAN AREA
- [Thick dashed line] AREA SUBJECT TO AMENDMENT NO. 483/VAUGHAN CENTRE SECONDARY PLAN

THIS IS SCHEDULE 'B1' TO
AMENDMENT # 600
ADOPTED THE ___ DAY OF
_____, 2000

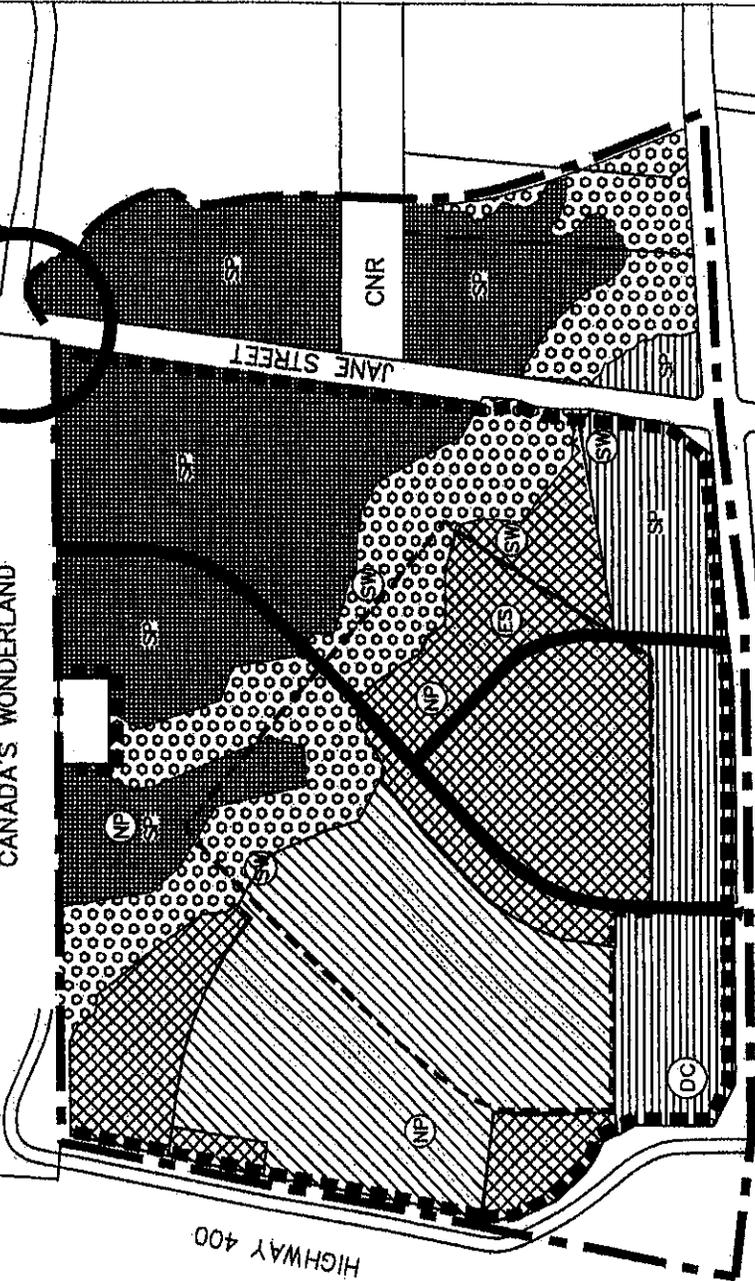
SIGNING OFFICERS

MAYOR

CLERK

LOCATION OF INTERSECTION
TO BE DETERMINED

CANADA'S WONDERLAND



THIS IS SCHEDULE '2'
TO OFFICIAL PLAN AMENDMENT
NUMBER 483

THIS IS SCHEDULE 'B'
TO OFFICIAL PLAN AMENDMENT
NUMBER 607

RUTHERFORD ROAD

PRIMARY ROAD MUST
ALIGN WITH FUTURE
EDGELEY BOULEVARD