

4. OFFICIAL PLAN AMENDMENT FILE OP.03.008

P.2012.22

PINE HEIGHTS ESTATES

WARD 3 – VICINITY OF PINE VALLEY DRIVE AND TESTON ROAD

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for File OP.03.008 (Pine Heights Estates) BE RECEIVED; and, that any issues identified be addressed by the Policy Planning Department in a comprehensive report to the Committee of the Whole.

Contribution to Sustainability

The contribution to sustainability will be determined when the technical report is considered.

Economic Impact

This will be addressed when the technical report is completed.

Communications Plan

On May 11, 2012 a notice of Public Hearing was mailed to landowners within 200 m of the subject lands. In addition, a notice was mailed to the Kleinburg & Area Ratepayers Association and Millwood Woodend Ratepayers' Association. The notice was posted on Vaughan's website www.vaughan.ca, online *City Page* on May 17, 2012, in addition to signage posted on site May 16, 2012. No responses have been received as of May 29, 2012. Any responses received will be addressed in the technical review and included in the detailed staff report.

Purpose

Six participating landowners within Blocks 40/47 have submitted an Official Plan Amendment application to re-designate the subject lands from "Urban Area" and "Valley Lands" under OPA 600 to "Low Density Residential", "Valley Lands", "Stormwater Management Pond", "Neighbourhood Commercial Centre", "Parks", "Institutional", "Greenway System", with special provisions to accommodate a historical site. The application proposes four (4) stormwater management ponds, three (3) neighbourhood parks, and two (2) neighbourhood commercial centres.

The application proposes to amend OPA 600 to:

- Increase the range in residential density from the permitted range of 5.0 – 7.5 units per hectare (2.0 – 3.0 units per acre) in Section 4.2.1.2. to a range of 5.0 – 11.0 units per hectare (2.0 – 4.5 units per acre);
- Amend Section 8.2.4.c (i) to reduce the road right-of-way width from 23 m to 20m for Primary Roads;
- Amend Section 4.2.2.4 (v) to permit a Gross Leasable Area of less than 5,000 m², from the required 5,000 – 15,000 m² in OPA #600; and permit additional uses such as "Institutional" and "Place of Worship" for Neighbourhood Commercial Centres;

- Increase in population from the forecasted 3,490 in OPA #600 to 5270 (based on 3.69 ppu), and an increased unit count from the forecasted 1000 to 1428 (See Appendix B, OPA #600);
- To recognize two existing cemeteries designated as “Institutional”;
- Identify the of Skandatut site under the “Historical Site” designation to permit only passive open space uses, and require a minimum 20 metre buffer area as per Ministry of Tourism, Culture and Sport requirements, while including an appropriate interface with the proposed adjoining residential development such as dedicated parkland, pursuant to the 5% dedication under the *Planning Act*. The adjacent parkland shall include buffers for the benefit of the preservation of the site.
- Re-designate the “Peninsula Parcel” as identified in Attachment 3 of this report from “Valley Lands” designation in OPA #600, to the proposed “Low Rise Residential”, subject to further assessment to the satisfaction of the City and TRCA.
- Amend Section 5.10 “Wetland Protection” to add the East Humber Wetland Complex, by amending Schedule G1 in OPA #600, as shown in Attachment 4a) and 4b);
- Amending section 8.2 to include special provisions for the preservation of lands at the Teston Road and Pine Valley Drive intersection (to facilitate the planning for the jog elimination). The policies require that the potential realignment be protected to allow the City and the Region with the reasonable opportunity to assess the need for the re-alignment and other alternatives as part of a future Environmental Assessment.
- Amend Section 4.2.4.6.4. to require the submission of Cultural Heritage Impact Assessments for structures listed by the City’s Inventory of Significant Structures, prior to the Block Plan approval. The future Teston Road and Pine Valley Environmental Assessment for the potential jog elimination shall take the preservation of the structure at 10733 Pine Valley Drive into consideration.
- Amending OPA #600 to add a new Section 5.5.2 of OPA #600, to require the use of the hydrogeological study completed as part of the MESP to define the local pre-development water balance and to establish of site specific water balance criteria.
- Adding Section 5.15 “Species-at-risk” to acknowledge that species-at-risk and their habitats have been identified in Block 40/47, and require, through the preparation of the MESP, Block Plan and conditions of development approval, arrangements for the protection or enhancement of habitat to the satisfaction of the pertinent government agencies;
- Adding a new clause to Section 4.2.4.1. “Greenway System” to investigate the feasibility of providing public trails and crossings in the valley system and to evaluate connections with other potential public trail initiatives in the Humber River Valley without amendment to OPA #600.

The redesignation to specific urban land use categories will facilitate the review of the Block Plan submission.

Background Analysis and Options.

Previous Application

On May 20, 2003 Official Plan amendment application file OP.08.2003 was considered by Committee of Whole. The initial application proposed a unit count of 883, a density of 6.2 units per ha, and an estimated population of 3,089 (assuming 3.49 ppu). The application did not proceed to approval. The file has been subsequently revised to reflect the current application.

Location and Context

The subject lands are located on the south side of Teston Road, east and west of Pine Valley Drive, north of Cold Creek, in parts of Lots 23, 24, and 25 Concessions 6 and 7, City of Vaughan. The lands have a total area of 233.73 ha, including the valley lands. The tableland portion is estimated to have an area of approximately 141.75 ha, with 74.48 ha being located east of Pine Valley Drive, with 67.27 ha located west of Pine Valley Drive. The lands also form part of the Vellore Village 1 area as shown on Schedule "B" of OPA #600.

The location of the subject lands and existing land use context and zoning are shown on Attachment 1 and 2.

Official Plan

OPA #600 was adopted by Vaughan Council on September 25, 2000 and approved by the Regional Municipality of York on June 29, 2001 it includes the following specific policies for the subject lands:

- i) The lands shall be the subject of a comprehensive plan providing the technical basis to support secondary plan land use designations consistent with the planning approach of the Official Plan;
- ii) OPA #600, Section 4.2.1.2 states that Blocks 40/47 north should be planned for predominately "executive housing" on large lots with full municipal services;
- iii) The gross density within the designated area shall be between 5.0 and 7.5 units per hectare;
- iv) The projected housing unit yield is 1,000 units to accommodate a population of about 3,490.

The Official Plan Amendment application for the Pine Heights Estate Community proposes to create approximately 1428 dwelling units with a corresponding residential population of 5270 people. Appendix B of OPA #600 permits a forecasted population of 3490 people.

OPA #600 also requires that the secondary plan area be developed by way of Block Plan approval. The applicants have submitted a Block Plan application under file BL.40/47.2003 (Pine Heights Estates). Block Plan approval will take place after the adoption of this Official Plan Amendment and will form the basis for the submission of the individual draft plan of subdivision and zoning amendment applications. Staff is processing the Block Plan applications in conjunction with the Official Plan Amendment

application. The information contained in the Block Plan submission is informing the evaluation the proposed Official Plan amendment.

Preliminary Review

In April 2011, the applicant submitted a revised Official Plan Amendment and additional supporting documentation including responses to address comments from the original OPA in 2003. The most recent modification was submitted in February 2012, which provides the basis for this report.

Following a preliminary review of the proposed Official Plan Amendment, the Policy Planning Department has identified the following matters for further consideration. It is noted that the issues identified in this section will be addressed through a number of processes including the Official Plan Amendment, the Block Plan and ultimately through the implementing subdivision plans and zoning by-law. The Official Plan amendment will address such issues through policy or where necessary, be addressed prior to the adoption of the amendment. The approaches taken will be discussed in the comprehensive technical report to Committee of the Whole.

General

- i) The applications will be reviewed in the context of the City's Official Plan, Region of York Official Plan, Provincial Policy Statement and other pertinent provincial legislation (e.g. *Heritage Act*, *Endangered Species Act*, etc.) with respect to conformity of the subject application to the applicable policies and requirements of these documents respecting the proposed land uses, sustainability, environment, servicing and transportation infrastructure;
- ii) The appropriateness of the proposed densities will be reviewed;
- iii) The Official Plan requires that features such as valleylands/woodlots and linkages for passive environmental, recreation and education uses be protected; that community edge buffers be provided; and that staking of the lands be undertaken to establish the limits of development to allow implementing development applications to be reviewed in the context of these requirements;
- iv) The following supporting reports were submitted to support the applications for the "Pine Heights Estates Community": *Master Environmental/ Servicing Report, prepared by EMC Group Limited, dated December 2010; Environmental Conditions Report, prepared by Azimuth Environmental, dated December 2010; Geotechnical Investigation, prepared by Geospec Engineering Ltd, dated February 19, 2002; Stormwater Management Report, prepared by EMC Group Limited, Revision 3, dated December 2010; Servicing Report, prepared by EMC Group Limited, dated December 2010; Environmental Impact Statement, prepared by Azimuth Environmental, dated March 2011; Planning Basis Report, prepared by Templeton Planning Ltd., dated December 2010; Traffic Impact Study, prepared by Cole Engineering Ltd., dated December 2010; Environmental Noise Feasibility Analysis, prepared by Valcoustics Canada Ltd., revision 3, dated December 2010; Urban Design Guidelines, prepared by NAK STLA Inc. & John G. Williams Architect Inc., dated December 2010, Meander Belt Analysis, prepared by Aqualogic Consulting, dated March 10, 2011; Addendum Block Plan Report, prepared by KLM Planning Partners Inc., dated April 2011. The*

applications and supporting documents will be reviewed by the applicable City Departments and external public agencies;

- v) Any required studies not already submitted to support the Block Plan approval application will be required prior to the consideration of the Block Plan application, such as: Transportation Master plan, Woodland Edge Management Report, Parks and Open Space Master plan, final comprehensive archeological report, Community Concept Plan, Urban Design Guidelines and Architectural Guidelines; Transportation Demand Management Framework are required to undertake a comprehensive review of the proposal through the Block Plan process; the implementation of development for the subject lands shall be through the Block Plan, Subdivision and Zoning By-law processes, should the application to amend the Official Plan be approved;

Land Use

- vi) There will be the need to clarify the range of uses to be permitted in the "Historical Site" designation. Currently "passive" recreational uses are identified.
- vii) The appropriateness of the proposed land uses, including the road pattern for the subject lands, will be reviewed the context of the surrounding existing and planned land uses.
- viii) The provision of parkland is currently under review by the City. Parkland dedication shall be provided in accordance with City Policy and in a manner that conforms to the Planning Act. The location, size, number, configuration and permitted use of the proposed parks must be reviewed and approved by the City.
- ix) The precise limits of the valley lands will be determined at the Block Plan stage by the TRCA and Vaughan staff in accordance with OPA #600 policies (Section 5.9.1);
- x) Development limits and buffers associated with non-participating lands have not yet been determined and further detailed review will be required to determine appropriate buffers and development limits to the satisfaction of City of Vaughan, TRCA and other pertinent government authorities prior to proceeding with any development applications on these lands;
- xi) The western portion of the Block 47 area is located within the boundary limits of the provincial Greenbelt Plan. The original application for file OP.03.008 was submitted to the City of Vaughan on February 21, 2003. The Ministry of Municipal Affairs and Housing has confirmed that the portion of the Pine Heights Estate development in Block 47 is not subject to the PPS 2005, the Greenbelt Plan and Growth Plan for the Greater Golden Horseshoe (Growth Plan). The City is working with the Region of York and MMAH to adjust the Greenbelt Plan boundary as it pertains to the subject lands. The adjustment of the boundary will not affect this OP amendment application.

Engineering

- xii) The availability of sewage and water capacity for the subject lands must be identified by the Region of York and will be subject to all required Regional infrastructure improvements;
- xiii) The servicing, access and development potential of the “peninsula parcel” (Attachment 3) the proposed OPA and Block Plan has not been demonstrated at this time. A site specific policy has been added to VOP 2010 Volume 2 which would provide for the determination of the development potential for the Peninsula parcel (see paragraph xxvi of this report), which requires additional studies to define the development limits.
- xiv) All properties within the proposed OP amendment area must be planned comprehensively. The transportation and servicing connectivity for the non-participating land owners must be identified in the Block Plan and the MESP.
- xv) The proposed internal road network and block configuration will be reviewed for possible improvements;
- xvi) Non-participating owners lands must be considered in the layout of the internal road system to provide flexibility for possible future development of these lands;
- xvii) Schedule “B” of OPA #600 identifies the intersection of Teston Road and Pine Valley Drive as an area for “Possible Road Re-Alignment”. An Environmental Assessment with the proponent likely being the Region is required to determine road alternatives for lands in the immediate vicinity of this intersection. The protection of lands required for the Pine Valley Drive and Teston Road jog-elimination is currently under discussion and review by the City and Region of York and will require further refinement and adjustments.

Cultural Heritage

- xviii) A significant archeological site (Skandatut), a historical First Nations settlement, had been identified. This site was delineated through surveys by licensed archeologists and has been protected for in situ. The efforts leading to the protection of the Skandatut site have involved consultation with several different parties including the Huron Wendat and Williams Treaty First Nations, Province of Ontario, the Toronto Region Conservation Authority, the City and owners of land in Blocks 40/47. A conditional donation agreement has been executed between the landowners and the TRCA providing for the donation of the site to TRCA and implementation steps are underway. The City has agreed that the lands abutting the site to the east will be park.
- xix) Archeological assessment reports for all sites identified on the subject lands are currently under review by the Ministry of Tourism, Culture and Sport (MTC). Compliance letters for all outstanding sites subject to archeological assessment from MTC is required prior to proceeding with the proposed Block Plan.

- xx) The precise location of the historical hamlet of “Purpleville” at the intersection of Pine Valley Drive and Teston Road is currently under review by the Cultural Services Department and the Region of York. The policy implications of a change in its location are also being reviewed.
- xxi) A registered heritage building under Section 27 of the Ontario Heritage Act has been identified at the south east corner of Pine Valley Drive and Teston Road (10733 Pine Valley Drive). A comprehensive review of the Salvage Mitigation Options, including the feasibility of relocation within the existing site or to another location within the subject development is required. A Built Heritage and Assessment Report outlining preservation or mitigation options for the properties located at 10733 Pine Valley Drive are required, to the satisfaction of the City.

Master Environmental Servicing Plan

- xxii) Buffers from Provincially Significant Wetlands, Habitat of Endangered and Threatened Species, and Significant Cultural/Archeological Sites/landscapes shall be reviewed and be subject to the satisfaction of the City of Vaughan, TRCA, Ministry of Natural Resources, and Ministry of Tourism, Culture and Sport;
- xxiii) All outstanding analyses concerning the tree inventory, species-at-risk and endangered species preservation and protection, including methodology used for the environmental sensitivity matrix must be addressed prior to finalization of Official Plan Amendment.
- xxiv) A total of five (5) species-at-risk have been identified within the boundaries of the subject lands: Butternut Tree (provincially endangered), Redside Dace (protected under 2007 ESA), Barn Swallow, Bobolink (provincially threatened bird species, protected under ESA 2007), and the Eastern Meadowlark (as per Ontario Regulation 242/08 under ESA 2007). Species-at-risk evaluations must be completed according to the regulations under the Endangered Species Act prior to determining the development limits and proposed road layout and lot fabric.
- xxv) The precise limits of the valley land and development land, in proximity to and inclusive of the “Peninsula Lands” is shown on Attachment 3 subject to review and will be determined based on studies and criteria established by the City in conjunction with the TRCA.
- xxvi) On April 17, 2012 Council resolved that:

“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 apply to the developable lands without further Amendment to the Plan.”

The range of studies is under consideration by the City in consultation with TRCA. The studies will be further detailed in the comprehensive report to the Committee of the Whole. There will need to be both a systems and features approach to the required studies.

The peninsula parcel has been assessed by staff, of who are of the opinion that it is part of a core area as defined in the Natural Heritage Reference Manual (OMNR 2010). Given that there are established elements of Provincial and Regional significance (i.e. species at risk, wetlands, woodlands, significant wildlife habitat) in the core area, a natural heritage systems approach is required for studies and criteria concerning the protection of the "peninsula" lands. The following criteria define aspects of core areas of the natural heritage system that will need to be considered:

- Size: Maintain species persistence;
- Shape: Maintain and/or improve the quality of wildlife habitat;
- Completeness: Optimize completeness and degree of naturalness of the core area;
- Habitat and Species Diversity: Improve core area resilience to stresses by maximizing diversity;
- Interior Habitat: This criterion is addressed through aspects of 'size' and 'shape' regarding species persistence and habitat quality;
- Sensitive Natural Communities: Persistence of sensitive natural communities;
- Under-represented Natural Communities: Persistence of under-represented natural communities;
- Connectivity: Maximize options for animal movement and population dispersal in the core area;
- Important Hydrological Areas: Protect water features by maintaining the hydroperiod of hydrological areas; and
- Potential to Persist: Ensure ecological functions persist without being diminished.

Impacts on individual features would also have to be considered, this will include:

- Stable slope and buffer/setback analysis determining natural hazard and related protection requirements;
- Appropriate buffers defined in accordance with requirements of the City, TRCA and MNR;
- Access to peninsula design (minimizing intrusion into the valley);
- Compensation for loss of targeted natural heritage system (value for land acquisition or other lands to be donated);
- A Low Impact Development (LID) assessment.

Consultation with the Province, Region, TRCA will occur to determine how much of this work will be necessary to satisfy OPA requirements and what elements can be included in future Block Plan and draft plan of subdivision processes for the subject lands.

School Board

- xxvii) The York Region District Catholic School Board requires that one elementary school site be protected within the proposed community. The location of the school site is currently under review and shall be determined prior to the comprehensive Committee of the Whole report.

Relationship to Vaughan Vision 2020/Strategic Plan

The applicability of this application to the Vaughan Vision will be determined when the technical report is considered.

Regional Implications

The Region of York is the approval authority for the proposed amendment. The application has been circulated to the Region of York for review and comment. The subject lands are designated "Urban Area" by the Regional Official Plan. Any issues raised by the Region of York will be addressed when the technical report is considered.

Conclusion

The above issues, but not limited to those cited, will be considered in the technical review of the application, together with comments from the public and Council expressed at the Public Hearing or in writing. The technical review will be the basis for a comprehensive report to a future Committee of the Whole meeting. In particular, the applications will be reviewed in the context of the applicable Provincial, Regional and City policies; the requirements of external agencies (i.e. Ministry of Natural Resources, Ministry of Tourism, Culture and Sport, Toronto Region Conservation Authority, York Region School Boards, etc.); the land uses being proposed in regards to density, sustainability and the environmental; servicing and transportation infrastructure requirements; and, the review of the supporting studies.

Attachments

1. Location Map
2. Context Map
3. Proposed Official Plan Amendment Schedule
- 4a. Proposed Amendment to Schedule G1 "Wetlands"
- 4b. Provincially Significant East Humber River Wetland Complex within Subject OPA Boundaries
5. Property Ownership

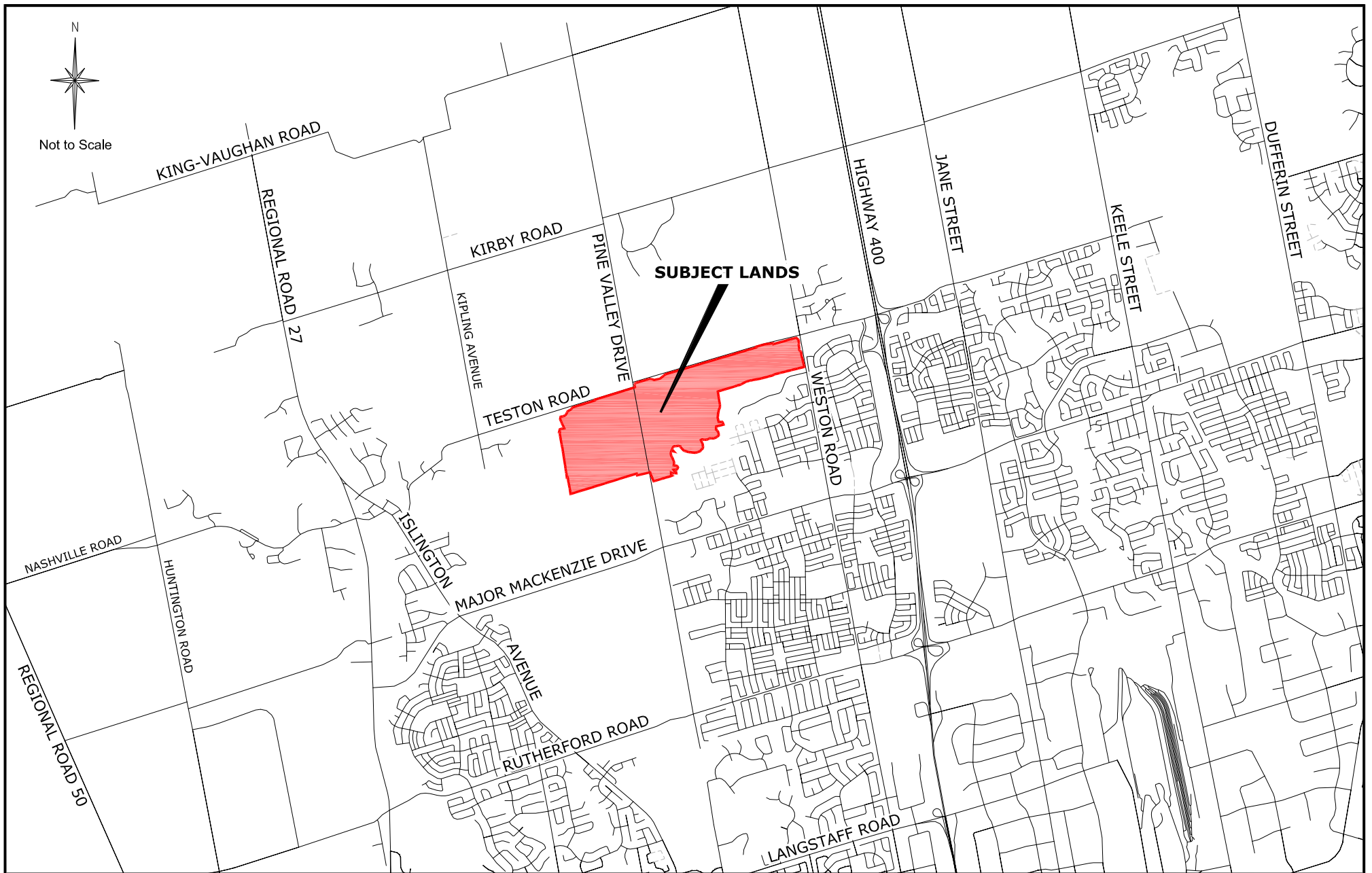
Report Prepared By:

Melissa Rossi, Senior Planner, ext. 8320
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Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

for: DIANA BIRCHALL
Director of Policy Planning



Context Location Map

LOCATION:
Part of Lots 23, 24, 25, Concessions 6 & 7

APPLICANT:
Pine Heights Estates (Block 40/47)

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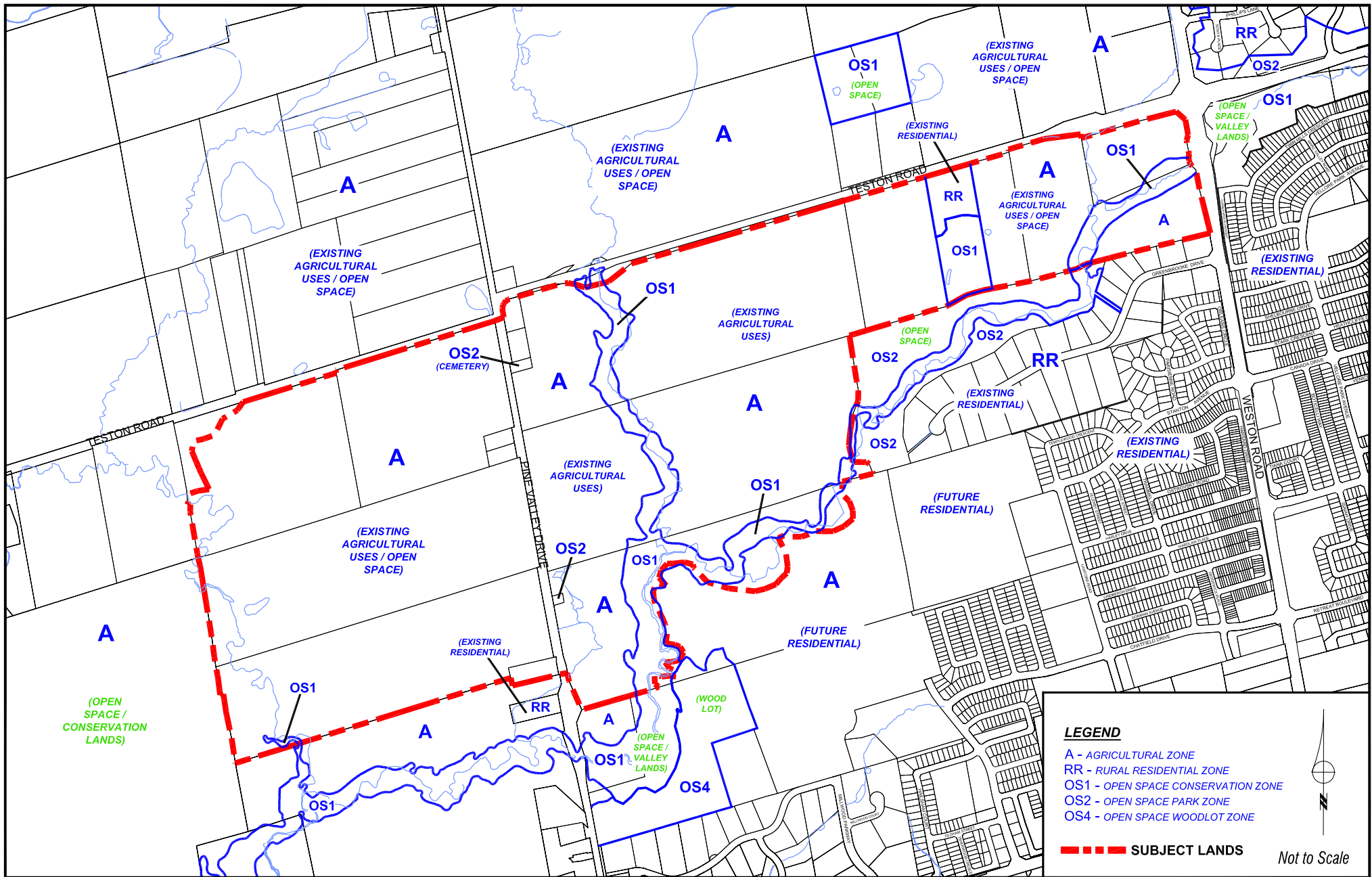


Attachment

FILE: OP.03.008
RELATED FILE: BL.40/47.2003

DATE:
May 25, 2012

1



Context Map

LOCATION:
Part of Lots 23, 24, 25, Concessions 6 & 7

APPLICANT:
Pine Heights Estates (Block 40/47)

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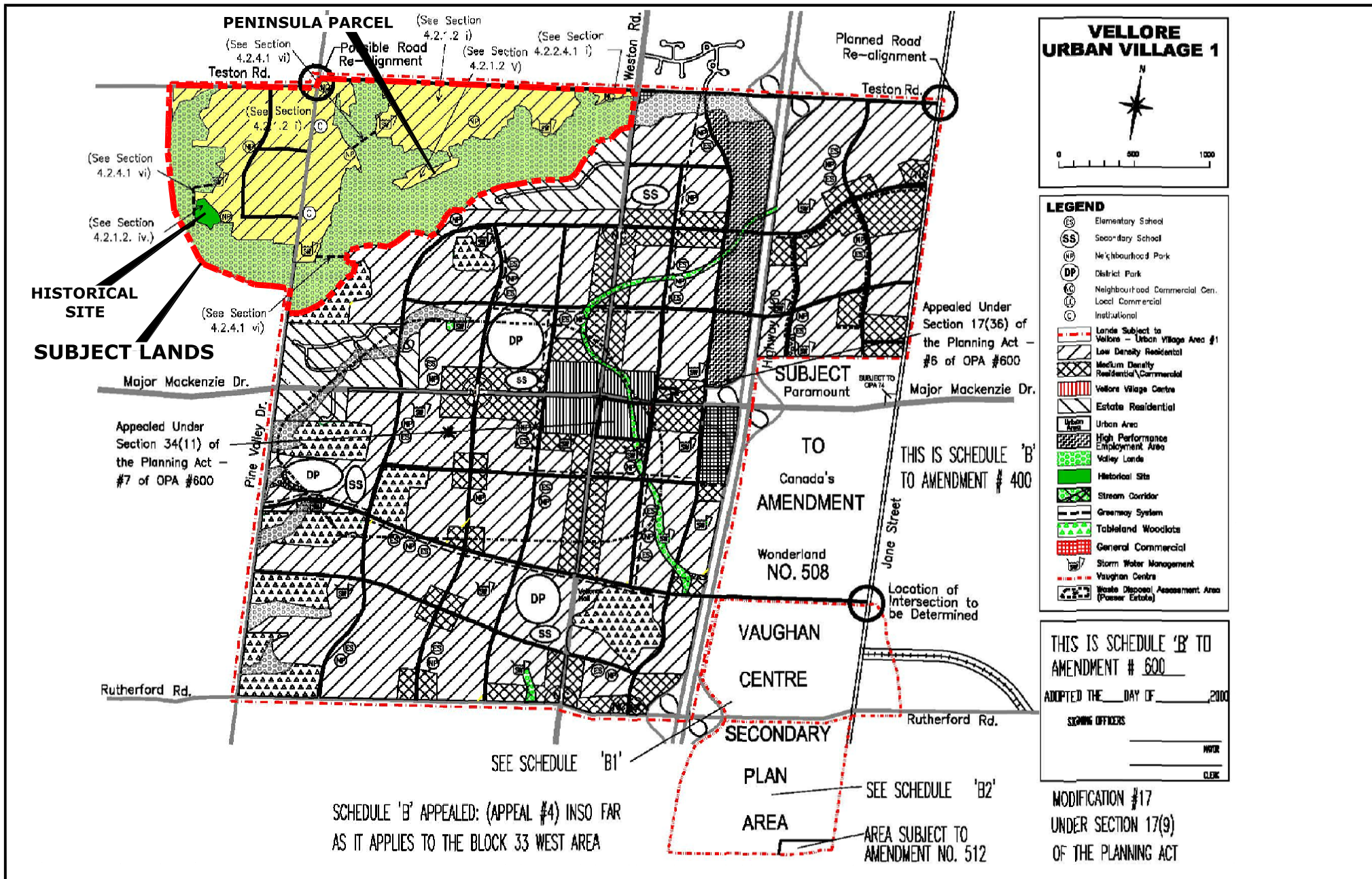


Attachment

FILE: OP.03.008
RELATED FILE: BL.40/47.2003

DATE:
May 25, 2012

2



Proposed Official Plan Amendment

APPLICANT: Pine Heights Estates (Block 40/47)

LOCATION: Part of Lots 23, 24, 25, Concessions 6 & 7

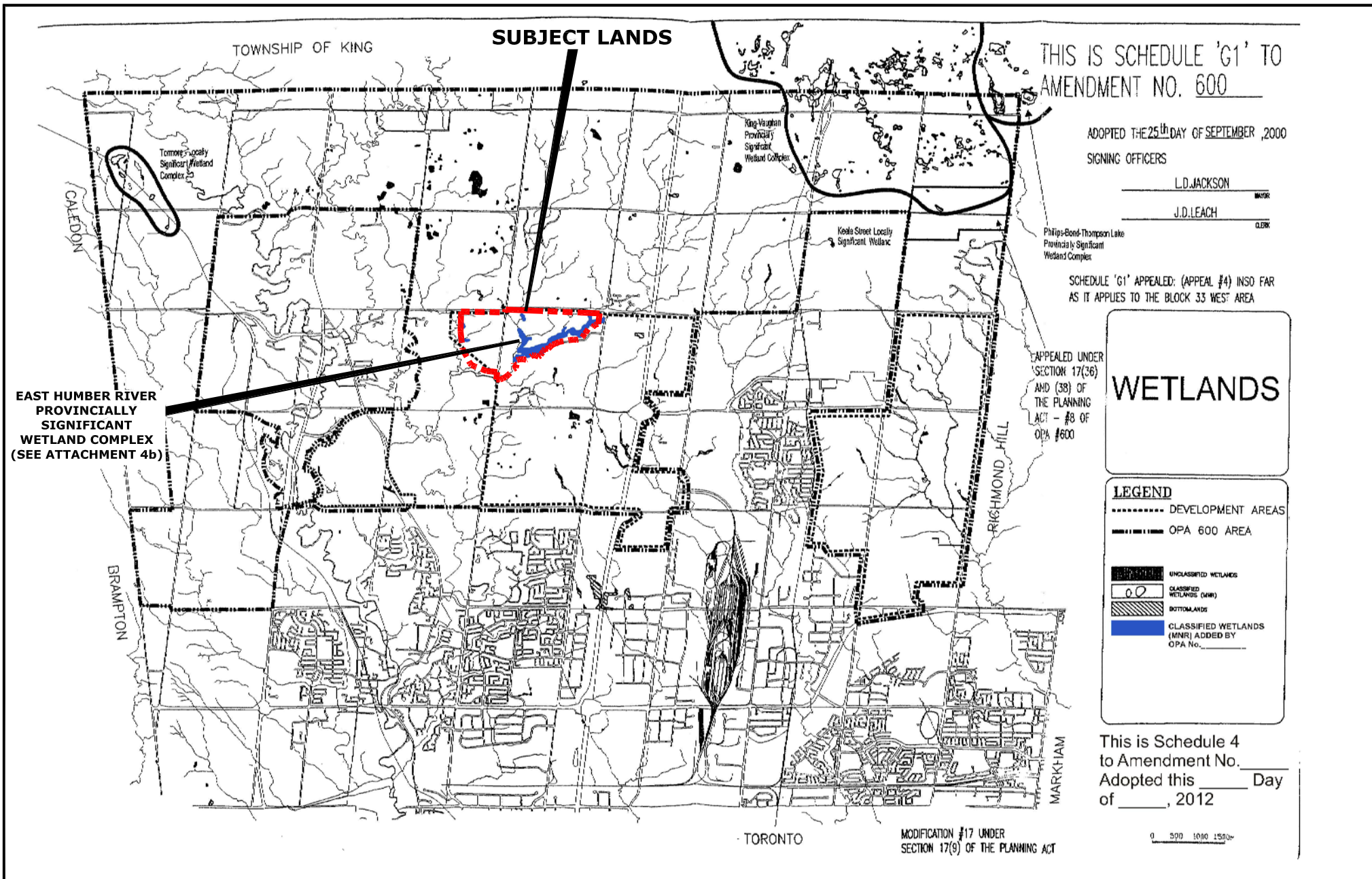


Attachment

FILE: OP.03.008
RELATED FILE: BL.40/47.2003

DATE:
May 25, 2012

3



Proposed Amendment to Schedule G1 "Wetlands"

APPLICANT: Pine Heights Estates (Block 40/47)

LOCATION: Part of Lots 23, 24, 25, Concessions 6 & 7



Attachment

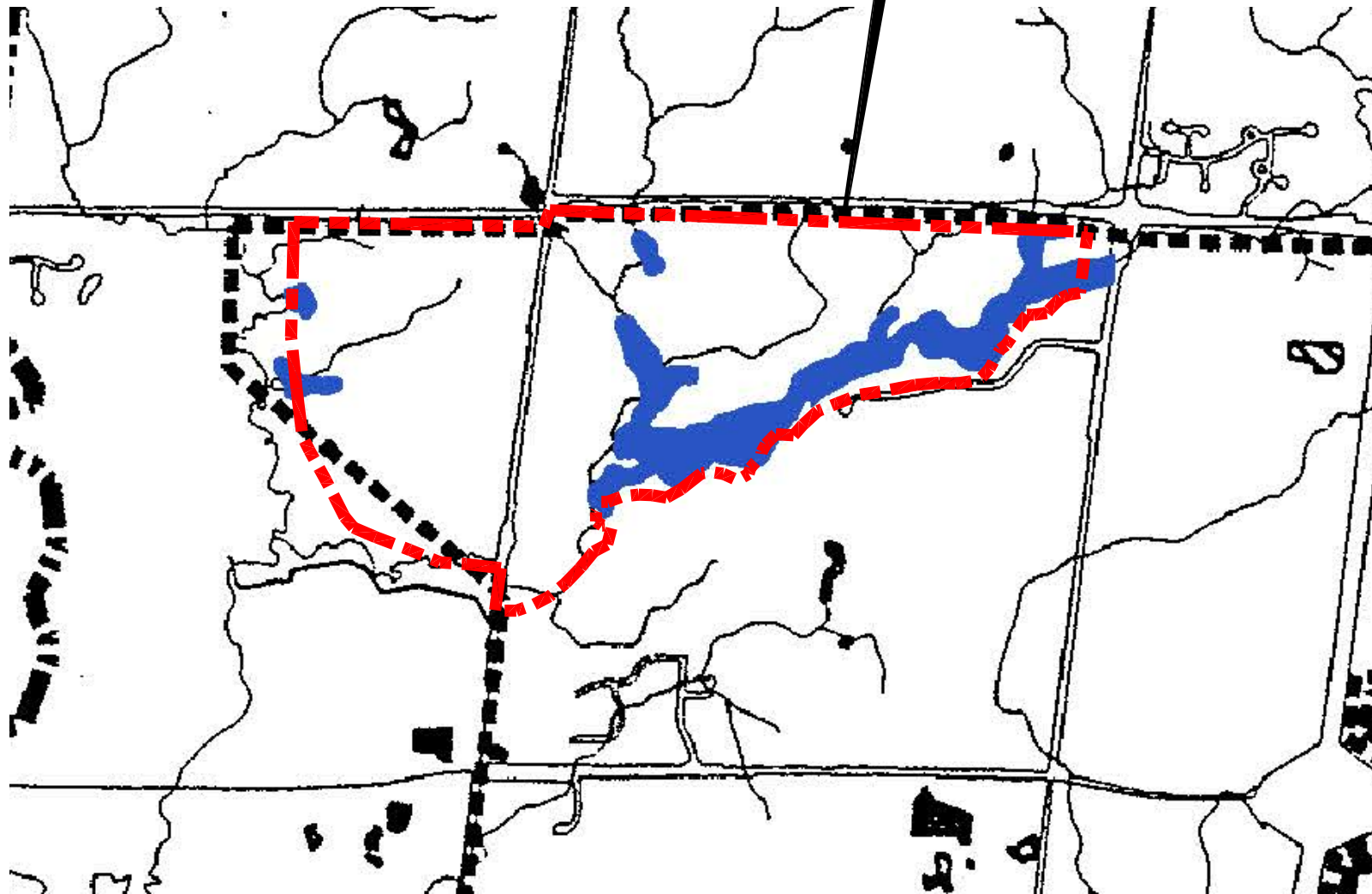
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RELATED FILE: BL.40/47.2003

DATE:
May 25, 2012

4a

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SUBJECT LANDS



WETLANDS

LEGEND

- DEVELOPMENT AREAS
- OPA 600 AREA
- UNCLASSIFIED WETLANDS
- CLASSIFIED WETLANDS (MNR)
- BOTTOMLANDS
- CLASSIFIED WETLANDS (MNR) ADDED BY OPA No. _____

Provincially Significant East Humber River Wetland Complex Within Subject OPA Boundaries

APPLICANT: Pine Heights
Estates (Block 40/47)

LOCATION: Part of Lots 23, 24, 25,
Concessions 6 & 7



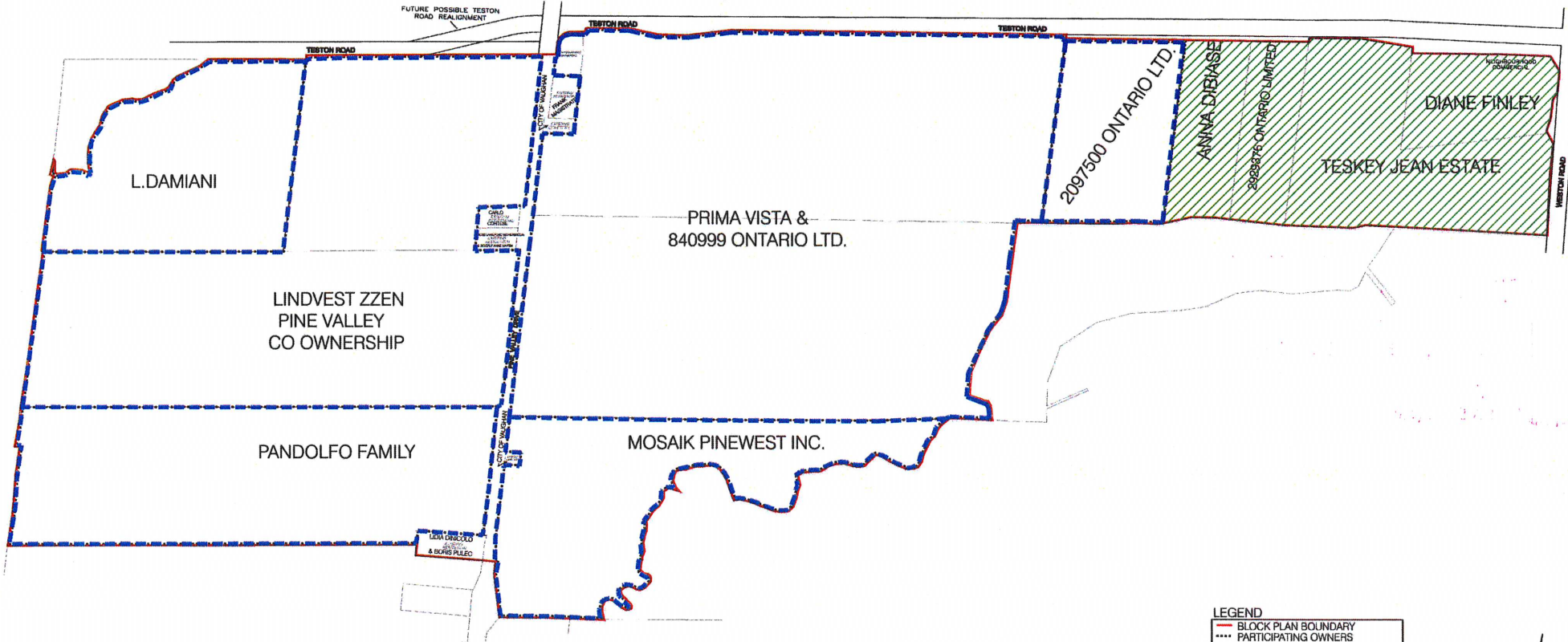
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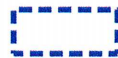
DATE:
May 25, 2012

4b

BLOCK 40/47 OWNERSHIP PLAN



LEGEND
 - - - - BLOCK PLAN BOUNDARY
 - - - - PARTICIPATING OWNERS
 - - - - PROPERTY BOUNDARIES

 NON-PARTICIPATING OWNERS
 PARTICIPATING OWNERS



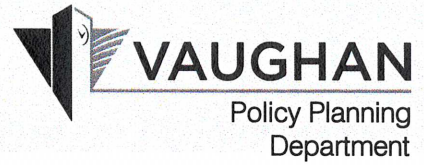
Not to Scale

Property Ownership

LOCATION:
 Part of Lots 23, 24, 25, Concessions 6 & 7

APPLICANT:
 Pine Heights Estates (Block 40/47)

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Attachment

FILE: OP.03.008
 RELATED FILE: BL.40/47.2003

DATE:
 May 25, 2012

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