

COUNCIL MEETING JUNE 11, 2007

**COMMUNITY IMPROVEMENT PLAN
STEELES AVENUE CORRIDOR – JANE TO KEELE
FILE NO. 15.90**

Recommendation

The Commissioner of Planning recommends:

1. THAT the Community Improvement Plan for the lands subject to OPA 620, BE APPROVED.

Economic Impact

The Plan has been budgeted within the Policy Planning Department's 2007 Operating Budget. Development of the lands that are subject to OPA 620 and identified as a Community Improvement Area will have a positive impact upon the City of Vaughan in terms of new development, assessment and job opportunities. The development policies envisioned by OPA 620 will also help to justify the extension of the Spadina subway into Vaughan, with many attendant economic benefits. The CIP will assist the implementation of OPA 620.

Communications Plan

Notification of the availability of the Plan was placed on the City Page in the Vaughan Citizen on May 3, 2007 and a courtesy notice was mailed out to those on the existing OPA 620 circulation list. The draft Community Improvement Plan was made available to the public and was posted on the City's website on May 8, 2007, 20 days prior to the Public Hearing. Upon Council approval of the CIP, those on the circulation list will be notified of the approval and requirements for appeal.

Purpose

The purpose of this report is to consider the oral and written comments received pursuant to the public hearing on May 28, 2007, and to present the Community Improvement Plan prepared pursuant to Section 28 of the Planning Act, in order to facilitate the implementation of the development vision and policy framework established by OPA 620.

Background - Analysis and Options

Background

- In October, 2002, Council retained a consulting team led by the firm 'Urban Strategies Inc.' to conduct the Steeles Corridor – Jane to Keele – Secondary Plan Study.
- On May 29, 2006, a Public Hearing was held respecting draft OPA 620, a secondary plan consistent with the findings and recommendations of the Steeles Corridor – Jane to Keele – Secondary Plan Study.
- On June 26, 2006, Vaughan Council adopted OPA 620.
- On October 24, 2006, the Region of York approved OPA 620.
- A number of landowners have appealed OPA 620 to the Ontario Municipal Board since the approval of OPA 620.
- On February 5, 2007, at a Committee of the Whole, a report was presented explaining the intent and requirements of the Provincial legislation in regards to designating lands as Community Improvement Project Areas and the appropriateness of applying this to the subject area of OPA 620.
- On February 12, 2007 By-law Number 54-2007 was passed designating the OPA 620 area as a Community Improvement Project Area.

- On May 3, 2007, notice of public hearing was published in the City Page. On May 8, 2007, the draft Community Improvement Plan for Steeles Avenue Corridor was made available to the public and posted onto the City's website.
- On May 28, 2007, a public hearing was held for the Community Improvement Plan. Committee of the Whole approved a resolution recommending approval of the CIP.

Location

The Community Improvement Plan area is bounded by Steeles Avenue on the south, Jane Street on the west, Keele Street on the east, and the hydro corridor on the north.

Existing Uses

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

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

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

COMMENTS ON THE DRAFT COMMUNITY IMPROVEMENT PLAN

At the public hearing on May 28, 2007, deputations were received from a lawyer (Parente, Borean) representing landowner (Steeles-Keele Investments/Milestone) within the lands subject to the CIP, and one individual (A. Raimondo) who leases property from Hydro One, and operates a market garden and vegetable stand on the west side of Keele Street in the hydro corridor, immediately to the north of the CIP lands. Letters were also received from lawyers (Aird & Berlis, and Blakes) representing two other landowners (Serenity Park Cemetery Corporation and United Parcel Service) within the lands subject to the CIP. The comments received are summarized below.

Comments from Parente, Borean (Steeles-Keele Investments/Milestone)

The deputation and letter:

- submit that the CIP is "flawed" and the rationale for its implementation is "unwarranted and not lawful";
- disagree with the description of the CIP area;
- disagree with the proposed boundary of the CIP area, contending that it should include the hydro corridor lands;
- maintains that the necessary policies enabling adoption of the CIP are not in place;
- propose that the Milestone property should be excluded from the CIP, and that its inclusion will negatively impact the timing and cost of development.

Response:

The Policy Planning Department does not concur with the submission. The City's legal counsel have advised City staff and its planning consultant on the appropriate lawful process for the preparation and processing of the CIP. There are many issues to be addressed before the vision

of OPA 620 can be fully implemented. Section 28 provides the legal basis for community improvement plans which are intended to provide municipalities with additional tools to facilitate such implementation. The intention of approving the CIP at this time is to enable the City to avail itself of such tools as may be needed to accomplish the City's planning objectives.

The inclusion of the Milestone property within the CIP is entirely appropriate, given that comprehensive solutions are required to many issues within the OPA 620 lands, including the provision of water, sewer and stormwater facilities, and public roads. These solutions are likely to require cost-sharing arrangements involving many or all of the landowners within the area, and these must be worked out in an equitable manner. The provisions of Section 28 may be, and have been used to resolve development matters involving both developed and newly developing areas. The OPA 620 lands include both circumstances. Also, Section 28 describes a wide variety of conditions which may be addressed by a CIP, and clearly is not intended to be limited only to circumstances involving decline of an area, or its redevelopment.

Comments from Aird & Berlis ((Serenity Park Cemetery Corporation)

The letter:

- submits that the OPA 620 lands do not satisfy the preconditions of a CIP, which may only be employed in limited circumstances;
- submits that Vaughan does not have jurisdiction respecting transportation systems and ancillary transit facilities
- submits that the supporting policies to enable CIP adoption are not in place
- submits that the CIP does not conform with the policies of OPA 620
- submits that the CIP fails to recognize and accommodate existing approved uses in the OPA 620 area

Response:

The Policy Planning Department does not concur with the submission. The City's legal counsel have advised City staff and its planning consultant on the appropriate, lawful process for the preparation and processing of the CIP. Furthermore, Section 28 describes a wide variety of conditions which may be addressed by a CIP, including 'faulty arrangement', 'unsuitability of buildings', and 'any other environmental, social or community economic development reason'. In staff's view, implementation of OPA 620, in the absence of a CIP, may be frustrated for any or all of these reasons.

Regarding transportation and transit, clearly an efficient road network and transit services are fundamental to achieving the goals of OPA 620. It is entirely appropriate for the City to utilize whatever tools are available, including a CIP, to assist in implementing OPA 620.

It is anticipated that the CIP will be appealed to the OMB and consolidated with the appeals of OPA 620. OPA 620 is expected to come into effect via a decision of the OMB. The OMB has the jurisdiction to then approve the CIP, bringing it into effect following the approval of OPA 620.

There is no obligation for the CIP to accommodate existing approved uses. The vision for OPA 620 entails the transition of the lands from an employment area to an urban, mixed-use area. The existing uses may legally continue to exist and operate within the OPA 620 lands without explicit recognition of their existence.

Comments from Blakes (United Parcel Service)

The letter:

- proposes that the appeals of OPA 620 be addressed by the OMB, and that it be finalized, prior to the CIP
- submits that the CIP is not necessary.

Response:

The Policy Planning Department does not concur with the submission. As noted above, staff expect that the OMB will make a decision on OPA 620, followed by a decision on the CIP. This assumes that the two components will be consolidated at the Board, which would seem to be the most efficient and least costly way of proceeding, rather than necessitating a separate hearing for each.

The City's legal counsel has advised that the CIP could facilitate implementation of OPA 620 by providing the City with additional tools to resolve problems. Given that there are three appeals before the Board, and numerous associated issues, it is prudent for the City to avail itself of all available tools in anticipation of future implementation problems.

Comments from A. Raimondo (G. P. Vegetable Farm Co.)

Mr. Raimondo has operated a flower and vegetable farm and stand for about 30 years, on lands on the west side of Keele Street, which he leases on an annual basis from Hydro One within the hydro corridor. He submitted a petition signed by more than 150 of his customers, who rely on him for goods, services and information. He wishes to continue his business there.

Response:

The Policy Planning Department recognizes that Mr. Raimondo's business provides valued goods and services to the Vaughan community. Staff will be meeting with Hydro One and Ontario Realty Corporation to discuss the implementation of OPA 620, including the implications for the hydro corridor lands and existing uses located there, and will endeavour to accommodate Mr. Raimondo's concerns.

Relationship to Vaughan Vision 2007

This report is consistent with Vaughn 2007, Sections 4 (Planning and Managing Growth); Section 3 (Transportation and Transit Infrastructure), and Section 3.2.1, which states: "Support the Region of York and other agencies to ensure higher order transit".

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Regional Implications

The Community Improvement Plan will assist in the implementation of OPA 620, and support public transit ridership on the Spadina subway extension, and on Steeles Avenue, a Regional road and Regional Corridor identified in the York Region Official Plan.

Conclusion

OPA 620 is consistent with Regional and Provincial policies. The Community Improvement Plan will give the City the necessary tools to ensure that the vision and the policies in OPA 620 are implemented. The Policy Planning Department supports the approval of the CIP without further modification.

Attachments

1. Location Map
2. Community Improvement Plan (Mayor and Members of Council Only.)

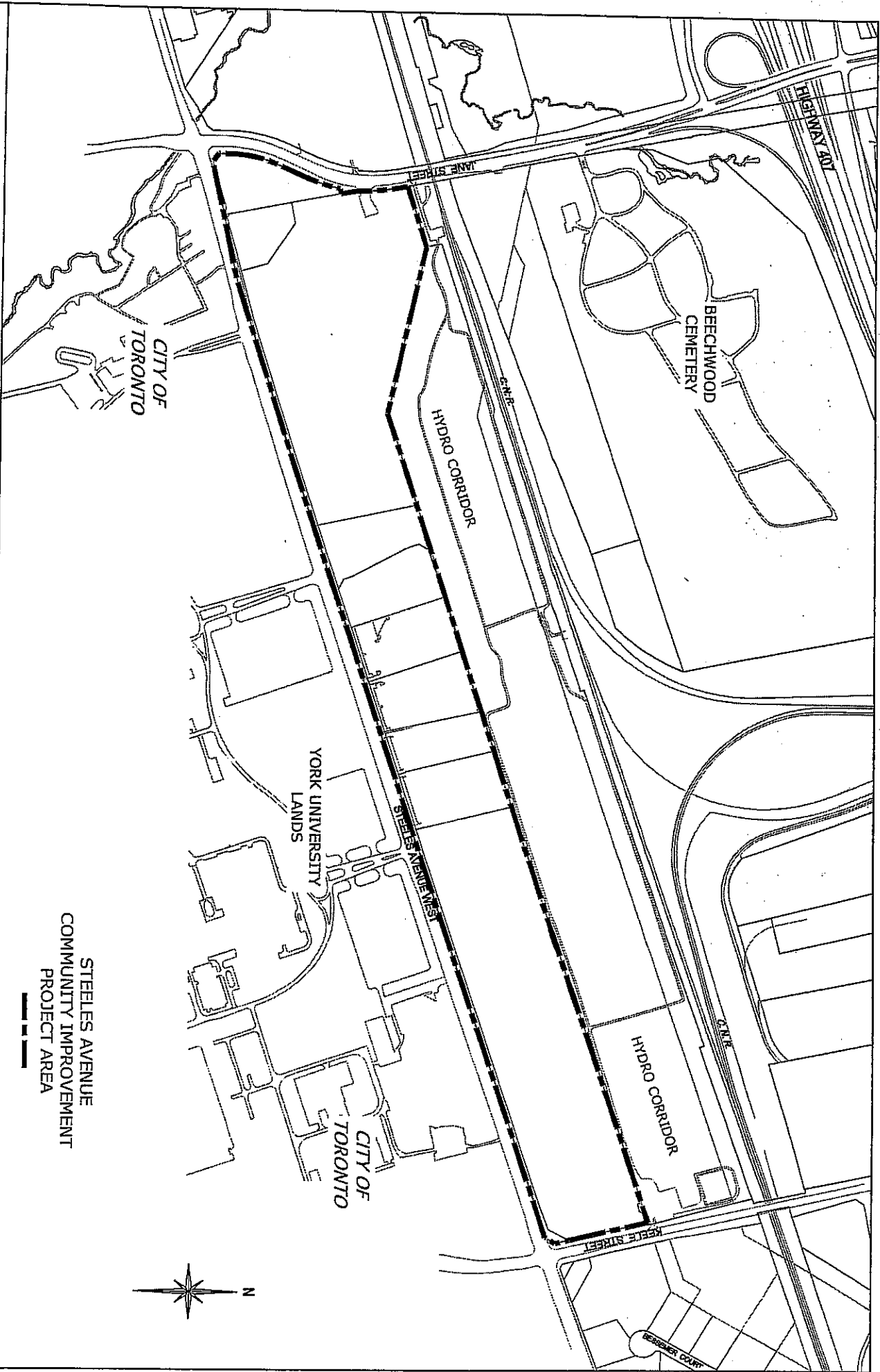
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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

DIANA BIRCHALL
Director of Policy Planning



STEELES AVENUE
COMMUNITY IMPROVEMENT
PROJECT AREA

Location Map

Part of Lot 1,
Concession 6

CITY OF VAUGHAN



Policy Planning Department

Attachment

Not to Scale

May 11, 2007

N:\Projects\Steeles Avenue Corridor Land Use Study\Report Location Map