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23 December 2005

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Subject: **Vaughan Urban Expansion - Terms of Reference
Highway 400 North Employment Secondary Plan Study
Our File: 19-DP-1500-05037**

Thank you for forwarding us the City of Vaughan's adopted Official Terms of Reference regarding the Highway 400 North Employment Secondary Plan Study. The attached preconsultation staff report represents provincial analysis and comments.

If you have any questions, please call me directly at 416-585-6626 or Victor Doyle at 416-585-6109.

Yours truly,

Marc S. Magierowicz MCIP RPP
Planner

cc. Jason Thorne, Ministry of Public Infrastructure Renewal
Russell B. Mathew, Hemson Consulting
Liz Howsen, Macaulay Shiomi Howson Ltd.
John B. Waller, The Regional Municipality of York
Sean Hertel, The Regional Municipality of York
Diana Birchall, The City of Vaughan

MINISTRY PRECONSULTATION STAFF REPORT

Planning System:	Bill 26, Strong Communities (Planning Amendment) Act
File Number(s):	19-DP-1500-05037
Upper Tier:	Region of York
Municipality:	City of Vaughan
Applicant:	City of Vaughan
Date Rec'd by Ministry:	01 September 2005
Date Determined Complete:	01 September 2005
Decision Target Date:	n/a
Related Files:	n/a
OP Conformity:	See Preliminary Ministry Assessment
PPS Issues:	Comprehensive Review, Upper Tier Coordination

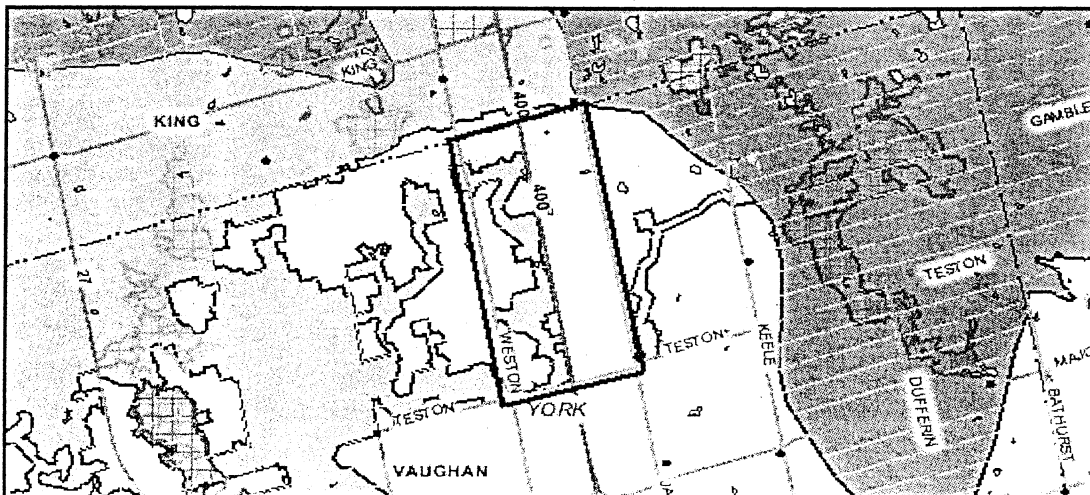
PROPOSAL:

The City of Vaughan Council has acquired the services of a consulting team to complete an employment lands needs study. The consulting team is lead by Macaulay Shiomi Howson Ltd. and Hemson Consulting Ltd. The study is scheduled for completion by Spring 2006. After completion of the study, Council would initiate an OPA to begin the process for an urban expansion for employment lands within the study area.

BACKGROUND:

This preconsultation staff report represents a compilation of comments and analysis following a meeting with the City of Vaughan (and consultants), the Region of York, the Ministry of Public Infrastructure Renewal (PIR) and the Ministry of Municipal Affairs and Housing (MMAH). The meeting revolved around the decision of the Council of the City of Vaughan to undertake a study to determine the need for employment lands centred on Highway 400 (see Figure 1).

Figure 1: Vaughan Urban Expansion Study Area



A significant portion of the land in the western portion of the study area is within the boundaries of the Greenbelt Plan Area. However, the entire eastern portion of the study area is outside of the Greenbelt and the Oak Ridges Moraine Plan Area.

A Public Information Meeting was held November 9, 2005 where a presentation was made regarding the proposed expansion. A stakeholder consultation-working group is being established to work with the City staff and consultants beginning in January 2006.

PRELIMINARY MINISTRY ASSESSMENT:

The following assessment is based on a review of the *Planning Act R.S.O. 1990*, the *Provincial Policy Statement 2005 (PPS)*, and comments provided to the Ministry of Municipal Affairs and Housing (MMAH) the Ministry of Public Infrastructure Renewal (PIR).

Provincial Policy Statement 2005

Policy 1.2.2 of the PPS requires upper tiers, in consultation with lower tiers, to identify where growth will be directed, along with coordinating and allocating population, housing and employment projections for lower tier municipalities. Furthermore, upper tiers shall identify targets for intensification and redevelopment within all lower-tier municipalities, including minimum targets that should be met before expansion of the boundaries of settlement areas. As such, although the information being prepared by the City of Vaughan may feed into the final determination of where these allocations and distribution of employment lands are located, identifying the need for urban expansions overall should be lead by the Region of York.

Moreover, policy 1.1.3.9 of the PPS requires that the approval authority be the principal in identifying the need for the expansion of a settlement area boundary, and only at the time of a comprehensive review. Therefore, the Region of York, as the approval authority needs to, in consultation with the lower tier, consider lower tier urban expansions through the Region's own comprehensive review. That being said, the information collected through the City of Vaughan for the North Employment Secondary Plan Lands Study can certainly form background and input into the Region's comprehensive review.

Greenbelt

The lands west of Highway 400, within the study area contain a portion of the Greenbelt, which is south of the Oak Ridges Moraine (ORM). More specifically, these lands are within the Natural Heritage System (NHS) of the Greenbelt. The policies of the Greenbelt Plan prohibit settlement expansions into the Greenbelt.

As such, this should be recognized within the proposed study area and resulting report.

Section “f. Staff Comment,” of the Terms of Reference (ToR) in “Attachment 2” indicates, that development on either side of Highway 400 north of Teston road would be justified. The staff comment suggests development of employment lands would place a “buffering” line between the residential development that would occur further to the west of Highway 400. However, as a significant portion of the area beside Highway 400 is within the NHS, there already exists a “buffering” between Highway 400 and possible residential growth to the west. Furthermore, the physical location of the lands on the west side of Highway 400 would be limited due to the boundary of the Greenbelt Plan, therefore, it would be necessary to include a much broader area for a study of this nature.

Growth Plan

The Greater Golder Horseshoe Proposed Growth Plan, “Places to Grow,” prepared by the Ministry of Public Infrastructure Renewal (PIR), was released in November of this year and is expected to be finalized early in the New Year. The ToR provided by the City of Vaughan for the North Employment Secondary Plan Lands Study proposes an urban expansion in the context of the impending Growth Plan. Specifically, the ToR suggests that the 427 Highway is not a provincial priority, based on the Draft Growth Plan (February 2005). Hence, this uncertainty surrounding the completion of the Highway 427 corridor/route would potentially further delay the development of the employment lands within the Highway 427 area. This delay would worsen availability of employment lands and create a shortfall of employment lands based on the aggressive absorption rate in the City of Vaughan.

However, on November 01, 2005 the Ontario Minister of the Environment approved The ToR for the Highway 427 extension. As such, the timeline for the completion of the EA would likely parallel the completion of the studies required to bring the Highway 400 lands on-stream for development.

In addition, it is important to consider that in the context of the Proposed Growth Plan, an east/west corridor has been identified which encompasses the lands suggested for the study area. As such, in the coming future, the lands contained in the study area may be subject to an EA or other planning exercises for this corridor, thus creating potentially significant uncertainties in the general area. Therefore, the Highway 400 lands may not be available to accommodate the employment uses within the proposed timeframe as suggested in the ToR, or at an earlier date than the Highway 427 lands.

City of Vaughan Terms of Reference

The first bullet point listed within the purpose of the ToR is to determine employment uses, secondary plan, zoning by-law and urban design guidelines

for the study area. What is more, the second bullet point of the purpose is to establish a case for a request to the Region of York to expand the current urban boundary to permit the employment area development to proceed. This is a considerable scope of work considering it is undetermined if the lands would be appropriate for this type of development and use. Moreover, it seems to be a large assumption, at the initial stages of this assessment, to predetermine the land use before the study completion. Further to this, one of the objectives established is to produce a conceptual lot, block and supporting local and regional road options, along with the preparation of documents necessary to establish a formal request to the Region for an urban expansion.

As mentioned earlier, the proper process for consideration of an expansion to the boundaries of a settlement area should be through a comprehensive review of the Region of York Official Plan. Therefore, this ToR may be considering an option outside of the appropriate review and planning process as outlined in the PPS. A case for expansion should not be considered or presented before a comprehensive review by the Region of York has been undertaken, which would include a land budget, identification of types of employment needs, market impact, etc, as outlined in the PPS in section 1.1.3.9.

The goal stated for the ToR is to review and assess all employment land uses suitable to the study area. However, from meetings with Vaughan and reviewing the ToR, this area is identified as a 'prestige industrial' area. 'Prestige industrial' uses are usually closer in association with office type settings rather than a range of employment types. As the Growth Plan identifies the Vaughan Corporate Centre as an urban growth area, which would include office and mixed uses, this does not seem to be consistent with the impending provincial plan.

CONTENTIOUS ISSUES:

Timing / Coordination

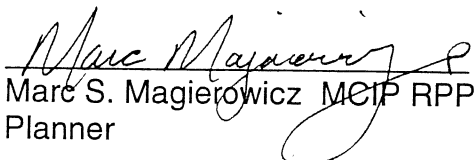
In the meeting held on August 22, 2005, the Region of York indicated they were aiming to have an employment land survey and lower tier growth allocations and land budget done in approximately 18 months. As this work is proposed to culminate in a regional OPA and eventually lead to the allocation of population and employment, it is unclear how the City of Vaughan can proceed with any detailed planning at this time.

Further, if this area is part of a broader urban expansion, it is unclear how incremental planning for this area could proceed in the absence of more comprehensive planning for infrastructure, urban structure and transportation, etc.

As suggested above, though this exercise merits value in the eventual determination of employment lands within the Region of York and City of

Vaughan, the study's focus should not assume an employment allocation which may be inconsistent with the Region's comprehensive review. As such, the timing of future amendments that would result from this study should be reserved until the Region of York has completed their formal analysis and comprehensive review in coordination with all the lower tiers.

Prepared by:


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Date: Dec 22, 2005

Approved by:


David Sit MCIP RPP
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Date: Dec 22/05