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PLANNING ACTIVITIES AND COMMISSIONER DELEGATED APPROVALS INFORMATION REPORT

APRIL 1, 2005 TO JUNE 30, 2005

The Planning and Economic Development Committee recommends the adoption of the recommendation contained in the following report, August 12, 2005, from the Commissioner of Planning and Development Services:

1. RECOMMENDATION

It is recommended that this report be received for information.

2. PURPOSE

This information report is submitted to advise Planning and Economic Development Committee and Regional Council of planning activities under the Commissioner of Planning and Development Services' delegated authority from April 1, 2005 to June 30, 2005

3. BACKGROUND

Regional Council has delegated authority to the Commissioner of Planning and Development Services to issue recommendations or approvals related to development applications that are routine in nature, subject to a requirement that such approvals be reported to Council through the Planning Committee on a regular basis. Regionally significant local official plan amendments, "routine" official plan amendments, local official plan amendments that are exempt from Regional approval, condition of draft plan approval for plans of subdivision and condominium, and final plan approvals for plans of subdivision considered by Regional staff, are listed in Section 4.

4. ANALYSIS AND OPTIONS

4.1 Regionally Significant Local Official Plan Amendments

Staff commented on 5 Regionally significant Official Plan Amendments from April 1, 2005 to June 30, 2005, as described in Table 1. These Regionally significant Official Plan Amendments represent key local planning initiatives that are vital to community planning.

Report No. 7 of the Planning and Economic Development Committee
Regional Council Meeting of September 22, 2005

Table 1

MUNICI- PALITY/ AMEND. #	LAND USE CHANGE	OWNER	LOCATION	TOTAL RES. UNITS	DECISI ON TIME (DAYS)	COMMENT /STATUS
Aurora OPA 55	To introduce policies to restrict the conversion of employment lands to other land uses.	Town Initiated	Town wide	NA	23	Approved May 19, 2005
Richmond Hill 225	To permit the development of commercial/employment lands with a Home Depot, Costco, 10-storey office tower, and various retail buildings and restaurants.	Riotrin (Richmond Hill) Properties	Northeast corner of Elgin Mills Road East & Leslie Street	NA	28	Approved April 05, 2005 Appealed April 25, 2005
Richmond Hill A10-YO	To add general policies to the Official Plan to provide Council the ability to pass a by-law under Section 34 of the Planning Act to use the holding symbol ('H') on any land use designation. The holding symbol would be removed when adequate servicing capacity was available.	Town Initiated	Town wide	NA	29	Approved May 17, 2005
Vaughan 671	The OPA implements most of the findings of the Thornhill Centre Street Study. It introduces high density and mixed-use development North of Centre Street	Town Initiated	East end of the Thornhill Centre Street Study Area (Bathurst Street & Centre Street)	900	30	Approved June 23, 2005
ROPA 28 Deferral No. 1 Town of Whitchurch- Stouffville Official Plan	To redesignate 46 ha from 'Agriculture Policy Area' to 'Rural Policy Area' to permit a cemetery and related uses.	Toronto Archdiocese Roman Catholic Cemetery	Southwest Corner of Davis Drive and Woodbine Avenue	NA	*1655	Approved June 14, 2005 Related to Whitchurch- Stouffville OPA 109

* Appeal to OPA 109 and Greenbelt Plan and Legislation resulted in processing delays

4.1.1 Update of Staff Reports on Regional Official Plan Amendments Prepared for Regional Council Between April and June, 2005

In May 2005, Regional Council adopted Regional Official Plan Amendment (ROPA) 28 and approved Deferral No 1 to Official Plan Amendment (OPA) 109 to permit a cemetery and related uses on approximately 46 ha (115 acres) of land located at the southwest corner of Woodbine Avenue and Davis Drive in the Town of Whitchurch-Stouffville. Both applications came into full force and effect on June 14, 2005.

In June 2005, Regional Council adopted ROPA 46 and approved OPA 122 to permit the expansion of the existing urban boundary to facilitate the implementation of Woodbine North Planning District No 42 in the Town of Markham. The purpose of OPA 122 is to designate the majority of the lands within the District as Industrial and incorporate all of the land into the Urban Service Area. On July 21, 2005, both applications came into full force and effect.

In June 2005, Regional Council also adopted of ROPA 48 and approved OPA 94 to permit the extension of municipal water and sewer servicing into Sibbald Point Provincial Park from the existing serviced area of Sutton. Both applications came into full force and effect on July 19, 2005.

ROPA 49 and related OPA 618, which proposes the creation of 2 additional lots from an existing lot in the "Agriculture Policy Area" in the City of Vaughan were also considered in June 2005 by Planning and Economic Development Committee and Regional Council. Approval of the application was recommended subject to the applicant providing a natural heritage easement across the northern portion of the subject lands. Since last reported, the Toronto and Region and Conservation Authority have indicated they are willing to accept the conservation easement. The applicant has been advised to retain the experts necessary to begin preparation of the easement drawings and supporting documentation. Regional staff will report to Council on how the easement requirements have been satisfied prior to issuing notices of decision on these applications.

4.2 Routine Official Plan Amendments

Staff commented on 5 local official plan amendments by way of the "Routine" process from April 1, 2005 to June 30, 2005, as represented in Table 2.

Table 2

MUNICI- PALITY/ AMEND. #	LAND USE CHANGE	OWNER	LOCATION	TOTAL RES. UNITS	DECISI ON TIME (DAYS)	COMMENT /STATUS
Markham 136	To permit a place of worship within an existing funeral chapel.	Al Hussain Foundation	10992 Kennedy Road, North of Elgin Mills Road East	NA	29	Approved June 06, 2005
Richmond Hill 227	To permit the operation of a day nursery with a maximum permitted enrolment of 38 children.	Global Montessori Day Nursery	33 Arnold Cres.	NA	26	Notice of Decision Issued on April 27, 2005 Appealed to the OMB on May 17, 2005
Richmond Hill D01-05001	To permit a freestanding financial institution (RBC).	Royal Bank of Canada	12935 Yonge Street	NA	16	Approved May 05, 2005
Richmond Hill 232	Official Plan Amendment No. 232 exempts the subject lands from the provisions of OPA 102 in order to facilitate the construction of a street townhouse development.	133573 Ontario Limited	128 Hall Street	18	8	Approved June 15, 2005
Vaughan 623	To redesignate the lands from 'Low Density Residential' to 'Medium Density Residential' to facilitate the construction of 58 townhouse units.	Giles Bisnaire	South side of Highway 7, between Helen and Bruce Streets	58	20	Approved May 26, 2005

4.3 Official Plan Amendments Exempt from Regional Approval

During the months of April to June staff exempted 10 local official plan amendments from the Regional approval process, as represented in Table 3.

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Table 3

MUNICI- PALITY/ AMEND. #	LAND USE CHANGE	OWNER	LOCATION	TOTAL RES. UNITS	DECISI ON TIME (DAYS)	COMMENT /STATUS
Aurora D09-01-05	To permit a 'Service Commercial Special' designation to recognize the existing building supply outlet.	S & R Hardware Limited	289 Wellington Street East	NA	20	June 21, 2005
Markham OP.05.009083	To add a site specific 'Self Storage' designation to the permitted uses in 'Business Corridor Area' to facilitate the development of a storage facility on the subject lands	StorageNow Holdings Inc.	605 Alden Road Southwest corner of Alden Road and Warden Ave.	NA	16	April 08, 2005
Markham OP.05.012450	To redesignate from 'Low Density Residential' to 'High Density Residential' to permit a 18 unit condo apartment building	1297482 Ontario Limited	7713 Kennedy Road	18	16	June 17, 2005
Markham OP.04.027404	To permit a parking lot for an adjacent commercial use in the residential designation	Lynde Centre for Dermatology	3 Ovida Boulevard	NA	20	June 17, 2005
Richmond Hill D01-04003	To permit the construction of 18 street townhouses.	133573 Ontario Limited	76, 82 and 88 Benson Avenue & 128 Hall Street	18	14	April 14, 2005
Vaughan OP.05.010	To redesignate from 'Low Density Residential' to 'Mixed Use Commercial/Residential' to permit a four-storey, 62-unit condominium residence with ground-oriented commercial units fronting onto Kipling Avenue	Sceptre Developments, Ashlock Ltd, 16011495 Ontario Ltd.	SE corner of Woodbridge and Kipling Avenues	62	19	May 11, 2005

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Vaughan OP.05.006	To redesignate from 'Railway Facilities' to 'Prestige Area' with a site specific allowance for outside storage to allow for continued operation of the existing asphalt plant and to facilitate the sale of the lands from CNR to the operator of the plant.	2012746 Ontario Limited	Southwest Conner of Highway 407 & CNR (west of Keele)	NA	20	June 13, 2005
Vaughan OP.05.016	To redesignate the northern portion of the subject lands fronting Royal Palm Drive from 'General Commercial' to 'Low Density Residential' to permit the construction 4 single detached houses.	Steeles Memorial Chapel	350 Steeles West	4	14	June 13, 2005
Vaughan OP.05.011	To redesignate the lands from 'Medium Density Residential' to 'High Density Residential' to permit a 140 unit 6-storey condo apartment and 17 townhouse units	Pinegrove at Kipling Inc.	8018-8048 Kipling Avenue (north of Woodbridge Ave)	157	20	June 17, 2005
Vaughan OP.05.015	To redesignate the site from 'Low Density Residential' to 'Medium Density Residential' to permit 8 townhouses	2055076 Ontario Ltd.	Northwest corner of Kipling Avenue Chavender Place	8	12	June 17, 2005

4.4 Plans of Subdivision

During the months of April 1 to June 30, 2005, the Region forwarded conditions of draft approval to the area municipalities for 5 plans of subdivision for a total of 132 units. Table 4 identifies plans of subdivision that Regional comments and recommended conditions of approval were forwarded to the area municipality, or Ontario Municipal Board, by staff in the period covered by this report.

Table 4

Municipality	File Number	Location	Total Units	Ind/Com (ha)	Response Time	Response Date
Georgina	19T-05G01	West of Woodbine Avenue, South of Fairwood Drive	22	0	11	May 02, 2005
Richmond Hill	19T-03R03	East of Bathurst Street south of Carville Ave	11	0	8	June 20, 2005
Vaughan	19T-04V14	Southeast of Highway 7 and Bruce Street	58	0	24	May 26, 2005
Vaughan	19T-84029	North side of King Vaughan Road, West of Keele Street	18	0	90	June 05, 2005
Vaughan	19T-05V03	Northeast Corner of Keele Street and Major Mackenzie Road	23	0	44	June 05, 2005

Draft plan of subdivision approvals continue to be affected by the delays in the approval for critical infrastructure. The total number of units the Region has forwarded draft plan approval condition has decreased significantly compared to 2004 second quarter results and is comparable to what was observed in the first quarter of 2005. This decline in draft plan approvals continues to indicate that the area municipalities have been focusing on assigning servicing allocation and completing development applications already proceeding through the approvals process. It is expected that draft plan approvals will increase in the third and fourth quarters of 2005 because of the June 2005 release of servicing capacity to the area municipalities.

During the months of April to June, the Region provided its clearance for final approval on 21 final plans for a total of 3130.5 units. Table 6 (Attachment 1) identifies those plans of subdivision that did receive clearance of Regional conditions. As a result of ongoing sanitary sewer capacity issues, subdivision clearance continues to be the primary focus of all subdivision work undertaken during the second quarter of 2005. This is illustrated by an approximate 29% increase in the total number of units the Region has provided clearance on when compared to second quarter results for 2004 and a 16% increase when compared to first quarter results for 2005.

4.5 Plans of Condominium

During the months of April 1 to June 30, 2005, the Region forwarded conditions of draft approval to the area municipalities for 3 plans of condominium for a total of 101 units. Table 5 identifies plans of condominium that Regional comments and recommended conditions of approval were forwarded to the area municipality, or Ontario Municipal Board, by staff in the period covered by this report.

Table 5

Municipality	File Number	Location	Total Units	Ind/Com (ha)	Response Time	Response Date
Vaughan	19CDM-05V01	Northeast Corner of Keele Street and Filedgate Drive	101	0	42	May 2, 2005
Vaughan	19CDM-05V05	East Side of Pine Valley Drive and South of Regional Road 7	0	1.637	40	May 26, 2005
Vaughan	19CDM-05V06	Northwest of Hwy 7 and Dufferin Street	0	1.44	39	June 06, 2005

4.6 Update on Appeals to the Ontario Municipal Board (OMB)

4.6.1 Lebovic Enterprises and Revlis Limited

In April, 2005 Regional staff reported on the Lebovic Enterprises and Revlis Limited appeal to the OMB regarding their proposal to redesignate approximately 5 ha (12 acres) of land from 'Industrial' to 'Residential' within the Industrial Parkway North Business Park in the Town of Aurora. Council recommended that Regional staff continue to dialogue with the Town of Aurora and the applicants to resolve any outstanding issues and as result, the applicants have withdrawn their appeal to Ontario Municipal Board. The lands will continue to be designated for 'Industrial' uses.

4.6.2 Referral 'H' to the Regional Official Plan

Mattamy (Aurora) Limited requested an OMB pre-hearing conference to address Referral 'H' to the Regional Official Plan and related appeals of ROPA 3 and Town of Aurora OPA 17 regarding the applicants proposal to develop their lands prior to the development of a secondary plan for the area. A pre-hearing conference was held on June 22, 2005 where the Board determined that the applicant's lands should be developed comprehensively within the context of the 2C Secondary Plan lands. The OMB has scheduled a further pre-hearing conference for December 13, 2005 to ensure that progress is being made towards development a secondary plan for the area. Staff will seek direction from Regional Council when the issues and schedule are better determined.

4.6.3 ROPA 47 and OPA 122 (Sharon Community Plan)

On March 1, 2005, The Regional Municipality of York issued Notices of Decision to adopt ROPA 47 and approve OPA 122 (Sharon Community Plan) in the Town of East Gwillimbury. The South Sharon Developers Group appealed these applications to the OMB seeking to have additional lands incorporated into the community plan boundary. An OMB Pre-hearing has been set for August 30, 2005. In the interim, local staff and Regional staff are engaged in ongoing discussion with the appellants. Staff will seek direction from Regional Council if a reasonable settlement option is presented.

4.6.4 Draft Plan of Subdivision 19T-03K01

Slokker Canada Corp appealed their proposed plan of subdivision (19T-03K01) in the Township of King to the Ontario Municipal Board for lack of decision within 90 days. The plan of subdivision is an integral component of the development of the Nobleton Community and the proposed sewage treatment plant. Regional staff attended a Pre-hearing conference on April 28, 2005 and continue to participate in by-weekly local liaison meetings to facilitate a settlement. A full Ontario Municipal Board Hearing is scheduled for November 2005. Staff anticipate participating in the full hearing to ensure Regional interests are protected.

4.6.5 OPA 225 - Riotrin Properties (Richmond Hill) Inc.

On April 05, 2005, Regional staff issued a Notice of Decision to approve OPA 225 in the Town of Richmond Hill. The Riotrin Properties (Richmond Hill) Inc. proposal to redesignate approximately 19 ha (47 acres) of land to permit the development of a retail commercial shopping centre was appealed to the Ontario Municipal Board on April 25, 2005 by Whitwell et al. Both parties have presented Minutes of Settlement for consideration by the Ontario Municipal Board. The settlement agreement is consistent with Regional Council's position as established through the March 31, 2005 report to Council.

4.6.6 West Gormley Secondary Plan

The West Gormley Secondary Plan and related plans of subdivision were appealed by the applicant to the Ontario Municipal Board for lack of decision within 90 days. On May 25, 2005 a pre-hearing conference was held at which the Region, the Town, and the applicant agreed to initiate discussions regarding secondary plan policies including determination of a preferred sanitary servicing option. Another pre-hearing conference has been scheduled for October 24, 2005 to advise the OMB of the status of the discussions between the parties, the preferred sanitary servicing route and set out any remaining issues. The Region's position was established through the November 3, 2004 report to Council. Staff will report back to Council if new information regarding servicing provides a resolution to the outstanding issues.

4.6.7 City of Vaughan OPA 671

Regional staff participated in a pre-hearing telephone conference on May 20, 2005 concerning an appeal by First Pro Shopping Centres et al, against the City of Vaughan's interim control by-law for the Thornhill Centre Street Study Area. The Thornhill Town Centre (OPA 671) was presented to Regional Council for approval in late June. The interim control by-law expired on June 14, 2005 and the appeal period for OPA 671 ended without appeal on July 14, 2005. No further Regional involvement is required.

5. FINANCIAL IMPLICATIONS

Fee revenue received between April and June for approvals and plan review with the Community Planning Branch totalled \$ 107,186.00. This represents a 100% increase in

fee revenue when compared to first quarter results for 2005 and a 21 % increase when compared to second quarter results for 2004. The increase in fee revenue results from a modest increase in development activity in the second quarter of 2005 being compared to a below average first quarter. It is anticipated that over the course of 2005 the total fees collected will be similar to those collected in 2004.

There are no direct financial implications associated with this report. Development from the application listed in Tables 1 to 6 of this report will provide tax assessment to both the Region and the area municipalities.

6. LOCAL MUNICIPAL IMPACT

Official Plan Amendments approved or exempted by the Region establish the principle of development that leads to further development at the local level. Conditions of draft plan approval provided by the Region on plans of subdivision and condominium facilitate approvals issued by the area municipality.

7. CONCLUSION

During the months of April, May and June staff reported on 5 Regionally significant local Official Plan Amendments. The Commissioner of Planning issued approval to 5 local Official Plan Amendments applications by way of the "Routine" process and exempted 10 local Official Plan Amendments from the Regional approval process.

During the second quarter of 2005, the Region forwarded conditions of draft plan approval to the area municipalities for 8 plans of subdivision and condominium for a total of 233 units comprised of 22% single detached units, 33 % townhouse units and 45 % apartment units. For the same period the Region provided its approval on 21 final plans for a total of 3130.5 units of which 62 % were single detached units, 14 % were semi-detached units, 18 % were townhouse units and 6 % were apartment units.

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause is attached to this report.)