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FURTHER APPROVAL OF VAUGHAN OPA 669 - YONGE STREET THORNHILL

The Planning and Economic Development Committee recommends the adoption of the recommendations contained in the following report dated July 30, 2007, from the Commissioner of Planning and Development Services:

1. RECOMMENDATIONS

It is recommended that:

1. The Commissioner of Planning be authorized to issue a Notice of Decision under Section (17)35 of the Planning Act to further approve Vaughan Official Plan Amendment (OPA) No. 669; and,
2. The Regional Clerk circulate this report to the City of Vaughan Commissioner of Planning and Clerk.

2. PURPOSE

The purpose of this report is to seek authorization from Regional Council to further approve Vaughan OPA 669 in the form it was originally adopted by the Council for the City of Vaughan on June 26, 2006. The Region partially approved OPA 669 in a decision dated October 20, 2006, which came into force and effect on November 10, 2006.

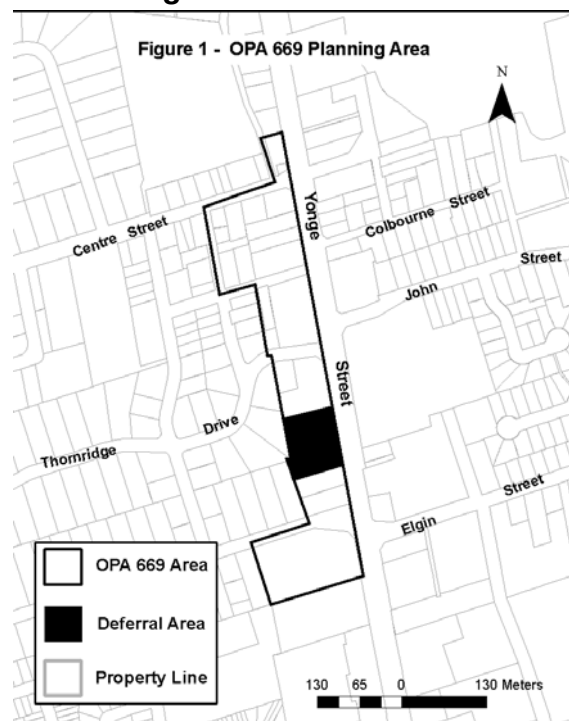
2.1 Approval would lift deferral attached to Yonge Street site

In approving OPA 669, the Region deferred a decision on that part of the Amendment relating to a 0.75 hectare site located at 7584 and 7610 to 7616 Yonge Street (see *Figure 1* – OPA 669 Planning Area). The further approval of OPA 669 would “lift the deferral” attached to this property and allow the policies of OPA 669 to take effect.

3. BACKGROUND

3.1 OPA 669 updates land use policies for Yonge Street in Thornhill

Vaughan OPA 669 updates the Thornhill-Vaughan Community Plan (OPA 210) by creating new land use designations for the



Vaughan segment of Yonge Street. The purpose of the OPA is to implement the findings of a land use study conducted jointly with the Town of Markham to encourage intensification and enhance the heritage character of the Yonge Street corridor through Thornhill.

3.2 Site-specific proposal differs from OPA 669 policies

Thornhill Village Plaza Inc. and M4 Developments Inc. submitted Official Plan and Zoning By-law Amendment applications to the City on March 2, 2005 to permit a 15-storey seniors' condominium apartment building on their Yonge Street property. The application also comprises an adjacent 0.25 hectare property located at 14 Arnold Avenue, which is located outside of the OPA 669 planning area. The Yonge Street property – the deferral area – is currently occupied by a retail plaza and a heritage home. The plaza and its parking area comprise approximately 75 per cent of the site area.

The policies adopted by the City under OPA 669 designate the Yonge Street property as “Mixed-Use/Mid Rise” and “Heritage Main Street,” which limit building heights to a maximum of five- and three-storeys, respectively. The “Heritage Main Street” designation and related three-storey height limit applies only to that portion occupied by the heritage home, which is located on the northern quarter of the site. Although OPA 669 would permit the proposed land use, building heights would be limited considerably.

3.3 Opportunity to resolve outstanding planning issues without appeal

A site-specific letter of objection dated August 3, 2006 to Vaughan OPA 669 was submitted to York Region on behalf of Thornhill Village Plaza Inc. and M4 Developments Inc. This objection prompted Regional staff to recommend that a decision with respect to the subject property be deferred. This was done to allow the balance of the OPA 669 planning area to come into effect, while averting a potential appeal to the Ontario Municipal Board. The deferral was also an opportunity for Regional staff to attempt to work towards a possible resolution, working with City of Vaughan staff and the applicants.

4. ANALYSIS AND OPTIONS

4.1 No resolution of site-specific planning issues

The Region, as the approval authority for local official plan amendments, often works to resolve outstanding planning matters, in cooperation with the parties involved. Such mediation is undertaken to limit Ontario Municipal Board (OMB) appeals, and to potentially broker a solution that works for all parties. If successful, it also eliminates the costs and lengthy time delays that are often associated with OMB hearings.

Unfortunately, an agreement between the owners and the City could not be reached. The further approval of Vaughan OPA 669 – thereby “lifting the deferral” – will allow the Amendment to come into effect in the form it was adopted by the Council for the City of

Vaughan. Such a decision, however, will likely be appealed to the Ontario Municipal Board by the owners of the subject property.

5. FINANCIAL IMPLICATIONS

There are no direct financial implications associated with this report.

6. LOCAL MUNICIPAL IMPACT

The further approval of Vaughan OPA 669 will allow the Amendment to come into effect in the form it was adopted by the Council for the City of Vaughan. Such a decision, however, will likely be appealed to the Ontario Municipal Board by the owners of the subject property.

7. CONCLUSION

The owners of a Yonge Street property within the Vaughan OPA 669 planning area have proposed a 15-storey seniors' condominium apartment building, while the Vaughan-adopted policies for the site cap heights at a maximum of five- and three-storeys. In receipt of a site-specific letter of objection to OPA 669, the Region partially-approved the Amendment; deferring a decision on that portion impacting the subject property. Deferring a decision of that portion of the Amendment allowed Regional staff to attempt to broker a resolution between the City and the owners on the outstanding planning issues. A resolution was not achieved through that process.

The further approval of Vaughan OPA 669 will allow the Amendment to come into effect in the form it was adopted by the Council for the City of Vaughan. Such a decision, however, will likely be appealed to the Ontario Municipal Board by the owners of the subject property.

For further information about this report, please contact Sean Hertel, Senior Planner, Community Planning Branch by calling 905-830-4444, extension 1556, or through electronic mail at sean.hertel@york.ca.

The Senior Management Group has reviewed this report.