

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 6, 2014

Item 35, Report No. 18, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on May 6, 2014, as follows:

By approving:

That the recommendation set out in Communication C4 from the Commissioner of Planning, dated May 2, 2014 be approved, as follows:

1. That the Woodbridge Centre Secondary Plan be modified by:

a) Replacing Policy 7.3.2 c with the following:

- i) For any new development or redevelopment, provide dry pedestrian access wherever possible.**
- ii) At a minimum, safe pedestrian movement pursuant to the Provincial flood proofing standards shall be required for all new buildings that provide overnight accommodation and/or for any redevelopment where an increase in the number of units that provide overnight accommodation is proposed.**
- iii) For matters not identified in sub-policy (ii), safe pedestrian movement and safe vehicular access and egress for all new buildings shall be provided pursuant to the Provincial flood proofing standards, or achieve the highest level of flood protection determined to be practical by the Toronto and Region Conservation Authority and the City.**

b) Replacing Policy 7.3.3 with the following:

- 3. Notwithstanding the policies above, no new development, including additions and alterations, shall be permitted on any parcel of land in the Special Policy Area if the following conditions apply:**
 - a. The building or structure will be subject to a risk of flooding in excess of 25% over an assumed life of 100 years (approximately 1:350 year flood – a probability of occurrence once in every 350 years).**
 - b. The development will be subject to flows which due to their velocity and/or depth would be a hazard to life or susceptible to major structural damage as a result of a flood less than or equal to the Regulatory Flood.**
 - c. The necessary flood damage reduction measures would increase the risks associated with flooding and erosion on adjacent, up-stream or down-stream properties.**

2. That staff make the subject modifications in the required reports in the Special Policy Area (SPA) package that will be sent to the Toronto and Region Conservation Authority for endorsement; and

That Communication C2 from Ms. Nadia Zuccaro, EMC group Limited, Keele Street, Vaughan, dated April 29, 2014, be received.

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component of the “Woodbridge SPA Package”, and that the draft Zoning By-Law Amendment proceed to a future statutory Public Hearing for public input and discussion.

4. That staff forward the “Woodbridge SPA Package” comprising this staff report, the resulting Council minutes, the Woodbridge Centre Secondary Plan, the Special Policy Area Justification Report for the Woodbridge Centre Secondary Plan, and the draft Zoning By-law Amendment to the Toronto and Region Conservation Authority Board for endorsement and the Ministry of Municipal Affairs and Housing and Ministry of Natural Resources for final approval.
5. That this report and Council minutes be forwarded to York Region, the Ontario Municipal Board and relevant parties to the OMB hearing as the City’s recommended modifications to the Woodbridge Centre Secondary Plan of Volume 2 of VOP 2010 and to Volume 1 of VOP 2010 as it respects Policy 3.6.5 “Special Policy Areas”.
6. Subject to approval by the Minister of Municipal Affairs and Housing and the Minister of Natural Resources of the new Special Policy Areas provisions, it is requested that the Ontario Municipal Board:
 - a) Approve the SPA policies as set out in Section 7.3 “Natural Hazard and Special Policy Area Policies” and Schedule 9 “Special Policy Area”, of Volume 2, as recommended for modification herein, as reflected in Attachment 1;
 - b) Amend Policy 3.6.5 “Special Policy Areas” of Volume 1 by:
 - i. deleting the text to said section and replacing it with the following:

“There is one approved Special Policy Area in the City of Vaughan. It is located in the Humber River Valley in the Woodbridge Community. It is subject to the policies of Section 7.3, “Natural Hazard and Special Policy Area Policies” and Schedule 9 “Special Policy Area” of the Woodbridge Centre Secondary Plan, which forms part of Volume 2 of this Plan. The boundary of the Special Policy Area is reflected in Schedule 8 of Volume 1 hereto”; and,
 - ii. replacing Schedule 8 “Special Policy Areas” to Volume 1 and incorporating the new Special Policy Area boundaries, as established in Schedule 9 “Special Policy Area” of Volume 2, the Woodbridge Centre Secondary Plan.

Contribution to Sustainability

Consistent with Green Directions Vaughan, the City’s Community Sustainability and Environmental Master Plan, the Secondary Plan will meet the Region of York’s requirements for complete communities and the requirements under the Places to Grow Plan for intensification while following key sustainability initiatives outlined by Green Directions Vaughan as listed below:

- Goals 1 & 5: To demonstrate leadership through green building and urban design policies;
- Goal 2: To ensure sustainable development and redevelopment;
- Goal 2: To protect green space and the countryside by establishing a Natural Heritage Network and limiting urban expansion;
- Goal 3: To ensure that Vaughan is a city that is easy to get around with low environmental impact;

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- Goal 4: Mixed-use communities in the Vaughan Metropolitan Centre and other Primary and Local Centres, together with an emphasis on design excellence to foster vibrant communities;
- Goals 5 & 6: An overall vision and policy structure that supports the implementation of Green Directions Vaughan.

Economic Impact

The Vaughan Official Plan 2010, which includes the Woodbridge Centre Secondary Plan, establishes the planning framework for development throughout the City to 2031. The Official Plan, will have a positive impact on the City of Vaughan in terms of managing growth and fostering employment opportunities while fulfilling the City's obligations to conform to Provincial policies and meet Regionally imposed targets for residential and employment growth. There is no economic impact as a result of the proposed review and changes to the Official Plan.

Communications Plan

Notice of this meeting has been communicated to the public as follows:

- Posted on the www.vaughan.ca online calendar, Vaughan Tomorrow website www.vaughantomorrow.ca, City Page Online and City Update (corporate monthly e-newsletter);
- To all appellants to VOP 2010;
- To anyone requesting notification specific to this Secondary Plan; and
- To landowners within the Special Policy Area lands.

Purpose

To request Council consideration and endorsement of the final "Special Policy Area Justification Report for the Woodbridge Centre Secondary Plan" and associated modifications to the Woodbridge Centre Secondary Plan to reflect comments emanating from additional review of submissions and detailed discussions involving staff from the Ministry of Municipal Affairs and Housing (MMAH) and the Ministry of Natural Resources (MNR) and the Toronto Region Conservation Authority (TRCA). Once Council has endorsed the SPA Justification Report, the TRCA will take the justification report to the Authority's Board of Directors to obtain its endorsement. Having obtained endorsement from the City of Vaughan and the TRCA, the SPA Justification Report can then be forwarded to the Province for final Ministerial approval in accordance with the provisions of Section 3 of the Provincial Policy Statement regarding a Special Policy Area and the *"Procedures for the Approval of New Special Policy Areas (SPAs) and Modifications to Existing SPAs Under the Provincial Policy Statement 2005 (PPS, 2005), Policy 3.1.3 – Natural Hazards – Special Policy Areas"* (MNR 2009).

Background - Analysis and Options

Special Policy Area Review Process

The Special Policy Area (SPA) review, which formed a key component of the Woodbridge Focused Area Study, focused on two primary tasks: (1) conducting a flood risk assessment; and (2) establishing the SPA boundary and the undertaking of a land use and policy review. The risk assessment was in the context of the City-wide Emergency Management Plan and considered aspects of geographic risk and operational risk. The proposed SPA policies and boundaries to be approved by the Province are contained in the Woodbridge Centre Secondary Plan.

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The Special Policy Area Justification Report represents a comprehensive review of the SPA boundaries, the SPA policies and related land use policies in accordance with: (1) the Provincially approved Terms of Reference for the Woodbridge Focused Area Study, which was approved by Council on May 4, 2009; (2) Section 3 of the Provincial Policy Statement (PPS) and relevant parts of the Definitions section regarding SPAs; and (3) the “*Procedures for the Approval of New Special Policy Areas (SPAs) and Modifications to Existing SPAs Under the Provincial Policy Statement 2005 (PPS, 2005), Policy 3.1.3 – Natural Hazards – Special Policy Areas*” (MNR 2009). The SPA review was undertaken applying a comprehensive risk management approach in consultation with Vaughan Fire and Rescue Service and has considered land use and risk response. The Woodbridge Centre Secondary Plan demonstrates consistency with the Provincial Policy Statement regarding the SPA.

The following provides a brief overview of Council action and the public consultation process for this secondary plan:

- May 7, 2007 – Council approved the Terms of Reference for the New Vaughan Official Plan, which identified the Woodbridge Centre Secondary Plan area as one of the four focused area reviews (studies to be undertaken).
- May 4, 2009 – Council approved the Terms of Reference for the Woodbridge Focused Area Study (WFAS), and adopted the recommendation from the Commissioner of Planning that the firm Office for Urbanism be retained to assist staff with components of the Woodbridge Centre Area Study.
- May 2009 - Staff and Council held a half-day charrette to explore design development alternatives for the Market Lane area.
- September 17, 2009 – a public consultation meeting was held to present emerging objectives/principles for future development in the study area, and to receive local community input.
- February 11, 2010 – a public consultation meeting was held to present the draft Secondary Plan and draft urban design policies/guidelines for the study area; and, to receive Woodbridge community input.
- April 7, 2010 – a public consultation meeting was held to present an overview of the proposed Secondary Plan and the main results of the SPA review to the Ward 3 community at a Statutory Public Open House; and, to respond to residents’ questions and receive comments.
- April 14, 2010 – a public consultation meeting was held to present an overview of the proposed Secondary Plan and the main results of the SPA review to the Ward 2 community at a Statutory Public Open House; and, to respond to residents’ questions and receive comments.
- June 14, 2010 – Statutory Public Hearing for the Woodbridge Centre Secondary Plan. In May 2010, in advance of the Statutory Public Meeting, the first draft of the SPA Justification Report was posted to the project web site for the Vaughan Official Plan (Vaughan Tomorrow).
- June 29, 2010 – Council Meeting, ratifying the recommendations made by Council at the Statutory Public Hearing.
- August 31, 2010 – A Special Committee of the Whole Meeting was held to consider responses to public, government and agency submissions, for incorporation into the Woodbridge Centre Secondary Plan.

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- September 7, 2010 – Council ratified the recommendations made at the August 31, 2010 Special Committee of the Whole Meeting. The following was recommended:
 1. That the recommendation contained in the report of the Commissioner of Planning, dated August 31, 2010, be approved;
 2. That the deputation from Ms. Rosemarie Humphries, Humphries Planning Group Inc., 216 Chrislea Road, Suite 103, Vaughan, L4L 8S5, be received; and
 3. That the written submissions be received.

Council adopted the Woodbridge Centre Secondary Plan on September 7, 2010. The plan was forwarded to the Region of York for circulation to the prescribed bodies and public agencies for review and comment as required by the Planning Act. Further modifications to the Woodbridge Centre Secondary Plan were adopted by City of Vaughan Council on March 19, 2013 and the recommendation adopted that the report and Council minutes be forwarded to the Ontario Municipal Board and the Region of York as the City of Vaughan's recommended modifications to the Woodbridge Centre Secondary Plan. Regional Council, on October 17, 2013, adopted the recommendation to advise the Ontario Municipal Board that Regional Council supports the approval of the Woodbridge Centre Secondary Plan, except for the policies and schedules pertaining to "Special Policy Areas", which require provincial Ministerial approval.

In accordance with the approval requirements in Section 4.0 of the document, "*Procedures for the Approval of New Special Policy Areas (SPAs) and Modifications to Existing SPAs Under the Provincial Policy Statement 2005 (PPS, 2005), Policy 3.1.3 – Natural Hazards – Special Policy Areas*" (MNR 2009), the City of Vaughan provided a revised SPA Justification Report to the Ministry of Municipal Affairs and Housing (MMAH) and the Ministry of Natural Resources (MNR) in November 2011 for provincial review. The revised SPA Justification Report incorporated recommendations from the TRCA based on their letters of December 13, 2010 and August 15, 2011. The Ministry of Municipal Affairs and Housing and the Ministry of Natural Resources provided a preliminary review and requested additional information in their correspondence of April 12, 2012. The City's response to the Province's additional information request was provided on March 1, 2013 together with the revised SPA Justification Report. The City's response took into account the TRCA, MNR and City review of technical studies conducted by stakeholders including landowners within the study area. The Ministry of Municipal Affairs and Housing and the Ministry of Natural Resources provided their formal "one-window" response on December 17, 2013. The subject report and attachments respond to the Ministry's most recent letter.

Once Council has endorsed the SPA Justification Report, the TRCA will take the SPA Justification Report to the Authority's Board to obtain endorsement. This is tentatively scheduled for the TRCA's meeting on May 23, 2014. Having obtained endorsement from the City of Vaughan and the TRCA, the SPA Justification Report can then be forwarded to the Province for final Ministerial approval.

Because the Woodbridge Centre Secondary Plan is at the OMB under appeal, along with Volume 1 of VOP 2010, it is recommended that the Board be requested to defer consideration of the existing SPA policies in Volume 1 (Section 3.6.5, Schedule 8) pending the Ministerial approval of the proposed policies in the WCSP. It is intended that the existing SPA policies in Volume 1 be replaced by the proposed SPA policies (Section 7.3) in the Woodbridge Centre Secondary Plan. Section 3.6.5 "Special Policy Areas" of Volume 1 provides:

"Existing Special Policy Area (SPA) policies and boundaries are included in this subsection and Schedule 8, respectively of this Plan. The existing SPA policies and boundaries shall remain in effect and in force until the proposed SPA policies and boundaries in Section 7.3

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and Schedule 9, respectively, of the Woodbridge Centre Secondary Plan have been approved by the Minister of Municipal Affairs and Housing and the Minister of Natural Resources.”

As such, the Board should also be requested to modify the relevant Region and City endorsed Volume 1 VOP policies once the Woodbridge Centre Secondary Plan policies pertaining to the Special Policy Area have obtained Ministerial approval. Similarly, the Board should be requested to defer consideration of the proposed SPA policies in the Woodbridge Centre Secondary Plan until Ministerial approval has been obtained to allow for the incorporation of any modifications made necessary by the Provincial review. Recommendations to this effect have been included in the Recommendation section of this report.

Summary of SPA and Land Use Policy Changes

The proposed SPA boundaries result largely from an update of the floodplain modelling provided by the TRCA. The minor adjustments proposed to the existing SPA boundaries as currently set out in the adopted Secondary Plan are a result of the following changes:

- Parcels designated Natural Areas, including property owned by TRCA, are removed from the SPA as development is not intended to occur on these lands.
- Parcels designated Parks in SPA #1 are removed from the SPA as development is not intended to occur on these lands, although the proposed SPA boundary includes the long-standing structures (e.g. concrete silos) of the former Hayhoe Mills site if it is determined that these structures can be re-used for ancillary park uses. The Park designation for a public square in the Market Lane area is not removed from the SPA as the precise location of the public square is not yet determined.
- Lands located inside the previous regulatory floodplain but outside of the updated floodplain were removed from the SPA as development is no longer restricted by provincial or TRCA floodplain management policy in these areas, though they still remain subject to TRCA's Regulation (Ontario Regulation 166/06). New boundaries follow property lines, where applicable, such that properties no longer straddle the boundary between the SPA and the one-zone floodplain area.

The SPA policies from previous Official Plan Amendments are largely brought forward in the Council-adopted (September 2010) Woodbridge Centre Secondary Plan. Recommended changes to the SPA policies in Section 7.3 of the Woodbridge Centre Secondary Plan as a result of the SPA review and in response to the Province's comments of December 17, 2013 can be summarized as follows:

- Given the TRCA mandate under Regulation 166/06 for the management of floodplain lands and river valleys, any action taken as a result of development applications within the TRCA regulated area shall be to the satisfaction of the TRCA rather than in consultation with the TRCA.
- The floodproofing standard is specified in one clear policy. This is consistent with the policy in OPA 440, but replaces suggested policies in the Council-adopted (September 2010) Secondary Plan in which floodproofing standards varied for several different designations.
- Given that the Low-Rise Residential designation permits townhouse development (see policy 9.2.2.1.c in Volume 1 of VOP 2010), “notwithstanding” policies are added to ensure that single-detached units are not converted to townhouse developments in the Low-Rise Residential designation in the SPA, which would otherwise be a form of intensification in the SPA.

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- Clarification of safe access with respect to pedestrian and vehicular traffic and reference to the City's emergency management approach.

Land use designations in the SPA are intended to match previous approvals despite all designations being renamed to match those of VOP 2010. Land use designations differ somewhat in the following two parts of the SPA, as described more fully in the SPA Justification Report:

- The Industrial designation associated with the former Hayhoe Mills site is designated Commercial Mixed-Use (1) and Parks, although the Parks designation includes most of the floodplain portion of the former Industrial designation; and,
- The Mixed Use Commercial designation in OPA 440 at the northwest corner of Clarence Street and Woodbridge Avenue is replaced by Low-Rise Mixed-Use and Mid-Rise Mixed-Use designations in the Woodbridge Centre Secondary Plan.

The Woodbridge Special Policy Area Package for Final Ministerial Approval

Special Policy Area Justification Report

The modifications to the SPA Justification Report requested by the Province in its letter of December 17, 2013 can be summarized below.

- Clarification of the City of Vaughan Emergency Management Approach. The Province requested a clear endorsement from Vaughan Fire and Rescue Services that the emergency management approach can address flooding hazards. A letter dated February 20, 2014 has been provided to the Ministry of Municipal Affairs (Attachment 5) signed by the Fire Chief, Deputy Fire Chief and Manager of Emergency Planning demonstrating that City staff has the skills, knowledge and ability to manage a flood emergency. Section 2 of the SPA Justification Report has been modified to reflect the contents of the letter from Vaughan Fire and Rescue Service of February 20, 2014.
- Revised Flood Risk Assessment. Section 6 of the SPA Justification Report provides a summary of the flood risk assessment provided in Appendix G, with a focus on the proposed designations in the Woodbridge Centre Secondary Plan for the Woodbridge Commercial Core and clearly illustrating areas of safe access. Flood risk is explained with respect to "risk to life" thresholds in accordance with the Natural Hazards Technical Guide and quantified by comparing permitted build-out according to OPA 440 with proposed build-out provided for in the Woodbridge Centre Secondary Plan. In summary, the Woodbridge Centre Secondary Plan provides for 102 additional units (in comparison to OPA 440) in the SPA in the Woodbridge Commercial Core. Of this, 83% or 85 units are directed to the low risk part of the SPA. The remaining 17% or 17 units reflect a small increase in dwelling units resulting from attempts to match the density provisions in previous approvals (expressed in units per hectare) with the density provisions specified as Floor Space Index (FSI) in the Vaughan Official Plan and Woodbridge Centre Secondary Plan.
- Minor Updates to Supporting Appendices. Appendix G describes the broader flood risk assessment, which has been updated to describe high risk and low risk flood conditions according to the "risk to life" thresholds in the Natural Hazards Technical Guide. Appendix H provides a comparison of the land use designations in OPA 440 and OPA 240 with the designations in the Woodbridge Centre Secondary Plan. This resulted in only minor updates. Appendix I compares SPA policies in previous Plan

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approvals (i.e. OPA 440) with the modified SPA policies in the Woodbridge Centre Secondary Plan. As such, Appendix I has been updated to reflect the recent modifications to the SPA policies in the Woodbridge Centre Secondary Plan.

Woodbridge Centre Secondary Plan

The Province's letter of December 17, 2013 identifies 11 minor modifications to the policies of the Woodbridge Centre Secondary Plan. Attachment 2 describes how the City has interpreted the requests for modification from the Province and the recommended response.

Draft Zoning By-Law Amendment

In its letter of December 17, 2013, the Province requests that a draft amendment to Comprehensive Zoning By-Law 1-88 be provided as a component of the "Woodbridge SPA Package". The concern expressed by the Ministry of Municipal Affairs and Housing was that the existing zoning under By-Law 1-88 permitted residential dwellings and/or overnight accommodation uses on certain parcels within the new SPA which exceed the land use permissions in the new Woodbridge Centre Secondary Plan. The draft zoning by-law identifies those sites and removes the residential and/or overnight accommodation uses as permitted uses on a site-specific basis. The draft zoning by-law amendment is intended as an interim measure until By-Law 1-88 is amended to be in conformity with VOP 2010, including the Woodbridge Centre Secondary Plan. The City will proceed with the preparation of the new comprehensive zoning by-law, in accordance with ss. 26(9) of the Planning Act.

In order to implement the draft zoning by-law, a statutory Public Hearing will need to occur to obtain public input; a technical report and recommendation prepared for consideration by the Committee of the Whole; and, if approved, the implementing zoning by-law must be prepared and enacted by Council at a future meeting, and then subject to a statutory 20 day appeal period under the provisions of the Planning Act.

Relationship to Vaughan Vision 2020/Strategic Plan

The Woodbridge Centre Secondary Plan and SPA review is addressed under the objective "Plan and Manage Growth & Economic Vitality", which includes the following specific initiatives:

- Complete and implement the Growth Management Strategy (Vaughan Tomorrow);
- Conduct the 5-year comprehensive review of the Official Plan as part of the Growth Management Strategy 2031;
- Conduct a comprehensive Special Policy Area review.

Regional Implications

The Woodbridge Centre Secondary Plan has been prepared in consultation with Region of York staff and is in conformity with the Region's Official Plan. The SPA review has been conducted in consultation with the Toronto and Region Conservation Authority, the Ministry of Municipal Affairs and Housing, and the Ministry of Natural Resources. This report and the resulting Council minutes will be forwarded to the Region of York for its consideration in the preparation of its report on the approval of the Woodbridge Centre Secondary Plan as part of Volume 2 of the VOP 2010.

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Conclusion

The Special Policy Area Justification Report represents a comprehensive review of the SPA boundaries, SPA policies and related land use policies in accordance with: (1) the Provincially approved Terms of Reference for the Woodbridge Focused Area Study, which was approved by Council on May 4, 2009; (2) Section 3 of the Provincial Policy Statement (PPS) and relevant parts of the Definitions section regarding SPAs; and (3) the "*Procedures for the Approval of New Special Policy Areas (SPAs) and Modifications to Existing SPAs Under the Provincial Policy Statement 2005 (PPS, 2005), Policy 3.1.3 – Natural Hazards – Special Policy Areas*" (MNR 2009). The SPA review is undertaken within a comprehensive risk management approach in consultation with Vaughan Fire and Rescue Service and has considered land use and risk response. The Woodbridge Centre Secondary Plan demonstrates consistency with the Provincial Policy Statement regarding the SPA. In addition, modifications to the Woodbridge Centre Secondary Plan resulting from this process have been identified and are recommended for approval in this report. In order to move to the ultimate approval of the new SPA boundaries and policies in the Woodbridge Centre Secondary Plan, it is recommended that the recommendations identified in this report be approved.

Attachments

1. The Track Changes Version of the Woodbridge Centre Secondary Plan.
2. Tracking Matrix of Modifications to the Woodbridge Centre Secondary Plan in Response to the Province's "One-Window" Comments of December 17, 2013.
3. Special Policy Area Justification Report for the Woodbridge Centre Secondary Plan.
4. Draft Zoning By-Law Amendment for Select Parcels in the SPA (where zoning permissions for dwelling units and/or overnight accommodation exceed the provisions in the Woodbridge Centre Secondary Plan).
5. February 20, 2014 Letter from Vaughan Fire and Rescue Service to the Ministry of Municipal Affairs and Housing.

Note: A hard copy of Attachment 3 Appendices "A" to "J" are on file in the City Clerk's Department and are available on the City of Vaughan website.

Report prepared by:

Cameron Balfour, Planner, ext. 8237
Tony Iacobelli, Senior Environmental Planner, ext. 8630

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)