

Committee of the Whole (Public Hearing) Report

DATE: Tuesday, February 04, 2020

WARD(S): 1

**TITLE: APPLICATION FOR BLOCK PLAN APPROVAL
FILE BL.34E.2014
BLOCK 34 EAST LANDOWNERS GROUP INC.
PRELIMINARY REPORT**

FROM:

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To receive comments from the public and the Committee of the Whole related to Block Plan Application BL.34E.2014 for part of the lands within the southerly portion of Block 34 East which has been submitted to implement the policies of the Highway 400 North Employment Lands Secondary Plan.

Report Highlights

- To receive input from the public and the Committee of the Whole on the proposed Block 34 East Block Plan
- To provide a summary of the policy context and proposed Block 34 East Block Plan
- All issues and matters identified through the review of the Block 34 East Block Plan application, together with comments expressed by the public and Committee of the Whole at the Public Hearing, including those submitted in writing, will be presented in a technical report and considered at a future Committee of the Whole meeting

Recommendations

1. THAT the Public Hearing report for Block Plan File BL.34E.2014 (Block 34 East Landowners Group Inc.) BE RECEIVED; and that any issues identified be addressed in a comprehensive report to Committee of the Whole prepared by the Policy Planning and Environmental Sustainability Department.

Background

Block 34 East, (“Subject Lands”) are bounded by Kirby Road to the north, Teston Road to the south, Jane Street to the east and Highway 400 to the west. The subject lands have an area of approximately 193 hectares and are known as Part of Lots 26 to 30, Concession 5 in the City of Vaughan. The Subject Lands include lands owned by both participating and non-participating landowners (see Attachment #1).

The Subject Lands are located within a larger area governed by the Highway 400 North Employment Area Secondary Plan (OPA #637). This larger area also includes Blocks 35 West and East, Block 34 West and north of King-Vaughan Road as shown on Attachment #4.

The Block Plan Application process is a comprehensive planning process that is initiated by the Block landowners

The Block Plan application process is not a statutory requirement of the *Planning Act*. Consistency with the Provincial Policy Statement (PPS) and other applicable provincial plans was established through the Highway North Employment Lands Secondary Plan study process. The proposed Block 34 East Block Plan application is being reviewed within this context. The Block Plan process as required by OPA #637 is reliant on policies contained in OPA #450. Policy 3.4.2.b of OPA #450 states, “Block Plans shall be required for greenfield development ... on the scale of the concession block or any such area that constitutes a logical planning unit.” Policy 3.4.2.c further states “Block plans shall form the basis for the preparation and submission of implementing draft plans of subdivision, zoning amendment applications, and/or site development applications.”

A major component of the Block Plan application process is the Master Environmental/Servicing Plan (ME/SP). The ME/SP shall be consistent with an ecosystem approach to planning, involving a rigorous analysis of the biophysical component of the natural system and the inter-relationships between them.

A Block Plan application has been submitted for lands in the southerly part of the Block. Less than 50% of the total area forms the lands which will be subject to approval

through the current Block 34 East block plan application process. Of the approximate 193 hectares within the Block, the participating landowners own about 72 hectares while the remaining 121 hectares are owned by the non-participating landowners. As such, over 62% of the area of the Block 34 East is not part of the current block plan application. Table 1 provides a summary of the participating and non-participating landowners.

Table 1: Land Ownership and Participation

Ownership	Participating	Non-Participating	Area (Ha.)
Fleur De Cap Development Inc.	X		53.300
Lorwood Holdings Incorporated	X		6.406
Cuenca Development Inc.	X		12.699
1406979 Ontario Limited		X	39.731
Conmar Developments Inc. and Fenlands Vaughan Inc.		X	39.268
Janeston Valley Developments Ltd.		X	40.817
The Trustee of the Maple Congregation of Jehovah's Witnesses		X	0.816
Frank D'Agostino		X	0.198
Total Area			193.235

In order to comprehensively address all the lands within Block 34 East, including the non-participating landowners, Policy 3.4.2.e.i. of OPA #450 provides direction for the block plan process, as follows:

"Where landowners within a Block Plan area choose not to seek development approval at the same time of the preparation of the Block Plan, the lands of the non-participating owners shall be shown conceptually in the schedules to the plan. Amendments to the Block Plan may be required before such lands are considered for development."

A Block Plan application was submitted by the Participating Landowners Group which are known collectively as the "Block 34 East Landowners Group Inc."

The Block Plan application was received April 12, 2016 and initially circulated to internal and external agencies on May 20, 2016. A resubmission was provided on March 13, 2019 and subsequently circulated for comment on March 15, 2019.

The proposed Block Plan, which forms part of the resubmission, is included as Attachment 2 to this report. The Block Plan illustrates the location and extent of land

use designations including “Prestige Areas”, “General Employment Area”, “Mixed Use Area – Employment /Commercial”, and proposes the locations of service nodes for both participating and non-participating landowners properties. It also includes the location of the “GTA West Transportation Corridor Protection Area”, the “Employment Area Activity Centre” and the “Trans Canada Pipeline”. Natural heritage features are also shown with a notation recognizing that the limits of Environmental Features are to be determined for the properties owned by non-participating landowners. The proposed Block Plan also provides for the location 2 stormwater management ponds, the proposed location of the required pumping station and a road network all located on participating landowners lands.

Conmar Developments Inc. and Fenlands Vaughan Inc., known municipally as 11110 Jane Street, a non-participating land owner, has submitted applications for a Zoning By-law Amendment Z.19.007, a Draft Plan of Subdivision 19T-19V002 and a Site Development Application DA.19.072. The draft plan of subdivision proposes to create 4 blocks including an employment block, a prestige employment block, a service commercial block, and a road widening block. The Site Development Application would facilitate the development of a warehouse/distribution centre on one block, which is to be developed in two phases. Planning staff are co-ordinating the development applications with the ongoing Block Plan application process to ensure that future development is reviewed in a comprehensive manner.

Previous Reports/Authority

Not Applicable.

Analysis and Options

The Block 34 East Block Plan has been developed in consideration of the Regional and local policy context

1. York Region Official Plan 2010

The York Region Official Plan 2010 (YROP) designates the subject lands as “Urban Area” (Map 1). Figure 2 the “York Region Strategic Employment Lands” of the YROP identifies the subject lands as part of the “Strategic Employment Lands - Conceptual.”

Policy 4.3.6 of the YROP states, “To protect strategic employment lands including lands identified in Figure 2. These lands are identified based on their proximity to existing or planned 400-series highways and shall be designated for employment land uses in local municipal official plans.” The YROP also includes Policy 4.3.11 containing provisions for

ancillary uses on employment lands, “To allow a limited amount of *ancillary uses* on employment lands, provided that the proposed uses are intended to primarily service business in the employment lands and that *ancillary uses* collectively do not exceed 15 per cent of an employment area as defined in the local official plan.” Ancillary uses are defined as “Small scale retail and commercial uses that primarily serve the business functions on employment lands.”

2. Vaughan Official Plan 2010 (VOP 2010)

Schedule 1 “Urban Structure” of VOP 2010 designates the subject lands “Employment Areas” and “Natural Areas and Countryside”.

Schedule 13 “Land Use” recognizes the lands as “Lands Subject to Secondary Plans” and “Natural Areas”.

Schedule 14-A “Areas Subject to Secondary Plans”, of VOP 2010 identifies the subject lands as one of the Secondary Plan Areas, being the “Highway 400 North Employment Lands – 11.4” (OPA #637).

3. Highway 400 North Employment Lands Secondary Plan (OPA #637)

The Highway 400 North Employment Lands Secondary Plan (OPA #637) is structured as an amendment to OPA #450 “Employment Area Growth and Management Plan” and OPA #600 and relies on the underlying policies contained in both OPAs #450 and #600. For the purpose of the Block 34 East Block Plan application only the policies related to OPA #450 are applicable.

OPA #637 was approved by the Ontario Municipal Board on November 21, 2011. Schedules “C” and “I” of OPA #637 identify land use designations and areas set aside for further study which are applicable to all the lands in Block 34 East (including both participating and non-participating landowners properties). A detailed description of each is provided in Attachment 3 to this report.

Only the land use designations listed below are applicable to the participating landowners properties which are part of the current Block Plan application.

“Prestige Areas”, “General Employment Area”, “Mixed Use Area – Employment /Commercial”, “Potential Valley and Stream Corridor”, “Significant Enhanced Landscape Area”, “Significant Interface Area (SIA)” and “Stormwater Management Facility”.

The limits of development will need to be confirmed for the participating landowners properties through the Block 34 East Block Plan application process

4. Development Statistics

The following statistics have been provided for the subject lands, including both the participating and non-participating landowners lands.

A site walk of the participating landowners lands was undertaken in July 2019 by the Toronto and Region Conservation Authority, the participating landowners and their consulting team, and the City of Vaughan. The development limits are still subject to final review, which may impact the areas dedicated to each land use as shown in Table 2 below.

Table 2: Proposed Land Use Areas Block 34 East

DEVELOPABLE LAND USES	Area (Ha)
Prestige Employment Area	41.781
General Employment Area	81.693
Mixed Use Area – Employment /Commercial	17.645
Service Nodes	4.934
Potential Roads	7.073
Roads	3.723
Stormwater Management Facilities	5.824
TOTAL DEVELOPABLE LAND USES	162.673
NON-DEVELOPABLE LAND USES	Area (Ha)
Channel	1.173
Valley Vegetation	5.344
Upland Enhancement	4.934
Compensation Area	0.820
Potential Environmental Lands	16.591
TransCanada Pipeline	1.701
TOTAL NON-DEVELOPABLE LAND USES	30.563

City Staff and External agencies are currently undertaking a review of the resubmission of the Block 34 East Block Plan application

5. Preliminary Issues to be addressed through the Block Plan process

Through an initial review the following preliminary matters have been identified, which are not exhaustive, and will require further consideration and discussion with the

applicable authorities. Any additional comments, requirements and/or modifications will be addressed in a future technical report to the Committee of the Whole.

i. General Comments:

- Less than 50% of the subject lands are being considered for block plan approval through this application process, which presents challenges in addressing matters in a comprehensive manner. The extent to which information is provided on a conceptual basis for the lands owned by the non-participating landowners consistent with Policy 3.4.2.e.i of OPA #450, will be determined through the Block Plan review

ii. Land Use and Densities:

- The application will be reviewed for conformity with the applicable Secondary Plan policies that were approved pursuant to Provincial and Regional plans
- The distribution and compatibility of land uses, including the final location and design of the road network, amount of ancillary commercial and retail uses, limits of development, location, number and design of stormwater management facilities require further refinement in consultation with the required approval authorities

iii. Trails:

- A conceptual local trail system, connecting to the larger City-wide network, must be provided for the Block Plan Area at this stage
- Examining opportunities for locating maintenance access roads for the stormwater management facilities with the intent of using these roads with future mid-block pedestrian walkway connections into the adjacent open space valley system. This will be dependent on location, practicality and technical feasibility

iv. Cultural Heritage

- The subject lands include 2 properties listed on the Register of Property of Cultural Heritage Value (11110 Jane Street and 10980 Jane Street) the City of Vaughan Heritage Register, as per Section 27 of the *Ontario Heritage Act*. Resources listed on the Register shall be protected and conserved as per the “Strategy for the Maintenance & Preservation of Significant Heritage Buildings” and Chapter 6 of the Vaughan Official Plan 2010, Volume 1

- A Cultural Heritage Impact Assessment for 10980 Jane Street and a Stage 1-2 Archaeological Assessment have been submitted and are currently under review and must be addressed to the satisfaction of the City

v. Transportation:

- In 2016 City staff advised the necessary transportation studies consider Block 34 East in its entirety (both participating and non-participating lands) to ensure all transportation matters are planned for comprehensively
- An updated Traffic and Transportation Study was not submitted with the 2019 resubmission and is required. The study should address how the overall planning and transportation policies of the OPA #450 as amended by OPA #637 are being maintained in consideration of the proposed road network which does not reflect the network shown as part of the Plan. The study should also recognize and address the status and impacts of the GTA West Corridor Study
- Other matters to be addressed include the proposed east-west collector road location over the Purpleville Creek valley lands and its alignment to the road network, on the east side of Jane Street, which is shown as part of the approved Block 27 Secondary Plan
- York Region staff comments in 2016 outlined the need for additional work to be completed and noted the Region did not support the proposed strategies (these are related to traffic signals unwarranted in the specified time horizon or dual left turn lanes). Preliminary comments for future development applications were also provided
- The applicant is required to address York Region's 2016 comments and any future comments as part of the Block Plan approval process

vi. Master Environmental and Servicing Plan:

Environmental:

- The subject lands contain several natural features and hazards associated with the Humber River Watershed. This includes multiple tributaries of Purpleville Creek, Headwater Drainage Features (HDFs), woodlands and Provincially Significant Wetlands (PSWs) which form part of the East Humber River wetland complex. Natural hazards associated with these features include valley slopes and the Regulatory Floodplain. The subject lands are also a significant groundwater recharge area and well head protection area under the *Source Protection Plan – Clean Water Act, 2006*

- The subject lands include watercourses and wetlands including PSWs that constitute regulated Redside Dace (species at risk) habitat.
- Potential declassification of PSWs and proposed alterations to existing watercourses on participating landowners' properties must be resolved as part of the Block Plan review process, to the satisfaction of the Ministry of Natural Resources and Forestry (MNRF), Ministry of Environment, Conservation and Parks (MECP), Toronto and Region Conservation Authority (TRCA) and City. The participating Landowners Group have been in contact with both ministries respecting the status of PSWs and species at risk requirements
- The limits of development have not yet been established and are required for the participating landowners properties. The TRCA has concerns with the delineation of natural heritage features and proposed encroachments depicted in the current Block Plan. TRCA is unable to provide additional detailed comments until their 2016 comments have been addressed
- The Constraints and Restoration Opportunities figure prepared as part of the ME/SP indicates encroachments are being proposed into multiple natural heritage features and their respective Vegetation Protection Zone (VPZ)
- Natural heritage features and their associated VPZs be placed in a protective zoning category Open Space (OS) and typically conveyed into public ownership to enable comprehensive management and to ensure their continued protection and management
- The proposed Groundwater Monitoring Locations Plan is under consideration and subject to approval by TRCA
- Until the limits of the features/designations are confirmed, the City is unable to consider any of the proposed options for compensation and/or restoration
- The applicant is required to submit a Sustainability Performance Metrics (SPM) scoring tool and summary letter for the Block Plan application
- The Ministry of Transportation (MTO) has noted that beyond the Highway 400 widening requirements from Major MacKenzie Drive to the Township of King, the MTO is not aware of any additional commitments made beyond the right-of-way on the Block 34 Phase 1 lands. The 2019 submission also mapped Purpleville Creek Tributary D on the east side of Highway 400. The mapping

should also note Tributary C (north portion of the Block 34 Phase 1 lands), which also runs east of Highway 400

Servicing:

- The City has conducted a review of sanitary, water and storm servicing, and the corresponding grading design and determined more review is required
- In April 2019, a Notice of Study Completion was issued for York Region's Northeast Vaughan Water & Wastewater Servicing Class Environmental Assessment (Regional EA). The purpose of the Region's EA was to establish the preferred strategy to provide new water and wastewater infrastructure needed to service the anticipated growth in northeast Vaughan to the year 2051. The Regional EA identifies the ultimate water and wastewater strategies for the Block given limited facilities exist to service these lands
- Comments from Development Engineering provided to the applicant note that additional information is required to determine water servicing needs for the Block Plan including reference to the Regional EA findings and provisions for providing adequate water pressure to the northern portion of the Block
- Development Engineering has also reviewed the proposed sanitary schematic and noted several concerns given the current proposal is not consistent with City Standards
- The City has initiated an Interim Servicing Strategy (ISS) which will reflect the City's anticipated 10-year development forecast for the period of 2019-2028. The subject lands are within the ISS study area and therefore the interim strategy recommended through the ME/SP will need to be evaluated as part of the ISS
- The Stormwater Management Plan proposes 2 stormwater management facilities as well as local on-site controls. The MESP identifies two options for the Stormwater Management facilities design. The ultimate solution should consider the storm drainage tributary area aligned with the City's Official Plan policies. Therefore, the applicant is required to review the Stormwater Management Strategy to ensure it properly represents the ultimate drainage condition
- The MTO has also commented that an overall Stormwater Management Strategy must be provided
- A preliminary grading design was not provided with the ME/SP. Development Engineering requires the ME/SP to be updated to include preliminary grading design with respect to proposed phasing works and servicing measures

- A Hydrogeological Assessment was not submitted as part of the ME/SP and is required for Development Engineering to approve the Block Plan application

Financial Impact

There are no financial requirements for new funding associated with this report.

Broader Regional Impacts/Considerations

The Block Plan application resubmission has been circulated to the Region of York for review and comment.

Blocks 34 and 35 were brought into the Urban Boundary and designated for Employment Land uses through Regional Official Plan Amendment (ROPA) 52.

Any issues resulting from the Regional review will be addressed in the planning report prepared for a future Committee of the Whole.

Conclusion

The preliminary issues identified in this report, including further responses from internal departments and external public agencies, will be considered in the technical review of the Block Plan application along with the supporting reports, together with comments expressed by the public and Council at the Public Hearing and those submitted in writing. These will be addressed in a comprehensive planning report to a future Committee of the Whole.

For more information, please contact: Arminé Hassakourians, Senior Planner

Attachments

1. Location Map
2. Block 34 East Block Plan
3. OPA #637 Land Use Designations Applicable to Block 34 East
4. OPA #637 Land Use Plan
5. OPA #637 Transportation Corridor Protection Areas

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