

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 16, 2017

Item 1, Report No. 17, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 16, 2017.

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**RESPONSE TO REQUESTED REPORT
ON OPTIONS TO INITIATE WORK ON THE
WESTON ROAD AND HIGHWAY 7 SECONDARY PLAN
FILE #26.2
WARD 3**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, the Chief Financial Officer/City Treasurer, the Director of Policy Planning and Environmental Sustainability and the Director of Financial Planning and Development Finance/Deputy City Treasurer, dated May 2, 2017, be approved; and**
- 2) That the deputation of Ms. Paula Bustard, SmartCentres, be received.**

Recommendation

The Deputy City Manager, Planning and Growth Management, the Chief Financial Officer/City Treasurer, the Director of Policy Planning and Environmental Sustainability and the Director of Financial Planning and Development Finance/Deputy City Treasurer in consultation with the Director of Development Engineering and Infrastructure Planning, recommend:

1. That Council direct staff to proceed with the Phase 1 works, as defined in this report, using Capital Project PL-9023-11 for the Weston Road and Highway 7 studies and that any further costs associated with Phase 1 or any future phase that are over and above the funding available through this Capital Project be front ended by the landowners with reimbursement to be provided over an agreed to annual repayment schedule and upon further capital budget approval;
2. That the Deputy City Manager, Planning and Growth Management be authorized to award single source contracts greater than \$100,000 within the approved budget of Capital Project PL-9023-11 for the initial phase of work (Phase 1) to prepare land concepts and to refine the parameters of the more detailed Secondary Plan Transportation Study; and
3. That staff report back to Committee at the conclusion of the Phase 1 work with a refined work plan for undertaking the more detailed Secondary Plan and Transportation Study and the details pertaining to the financing of the study.

Contribution to Sustainability

Preparation of a Secondary Plan for the Weston Road and Highway 7 Primary Centre is consistent with the following objectives of Green Directions Vaughan.

Goal 2: To ensure sustainable development and redevelopment.

Objective 2.3: To create a City with sustainable built form.

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Economic Impact

Overview

It is estimated that the cost to undertake the Weston Road and Highway 7 Secondary Plan study, over the course of 36 months, could range from \$1.8 - \$2.5 million. It is expected that there would be the need to reprioritize tasks in the current Term of Council Priorities to accommodate this study. Due to the staff involved, by initiating this new project it is likely that the work effort and proposed timing to complete the existing Secondary Plans and the Vaughan Official Plan 2010 would be negatively impacted. This could impact the achievement of committed milestones and impair efforts to resolve appeals and studies that are currently at a critical juncture.

There is currently \$253,000 allocated in approved capital project PL-9023-11 for the Weston Road and Highway 7 Secondary Plan. There are two options presented in this report that could be pursued to advance the Secondary Plan Study. A detailed description of each option is included in the Background Section of the Report. The options are and summarized below.

Option 1

In Option 1, in 2017 the City would utilize the existing budget of \$253,000 to initiate Phase 1 work including the development of land use concepts in consultation with stakeholders. This work would also include background research focusing on existing conditions and confirming the underlying policy framework and stakeholder interests. As part of the 2018 budget process, staff would submit a funding request, currently estimated at approximately \$2.2 million, for the balance of funds required to complete the study. The capital budget amendment could be funded by approximately \$1.095 million from Engineering Development Charges, \$1 million from General Government Development Charges and \$111,700 from property taxation. Currently, the General Government Development Charges Reserve is in a negative position and continues to be pressured by the numerous studies being advanced by the City.

Option 2

In Option 2, the City would also utilize the existing approved budget of \$253,000 to initiate Phase 1 work in 2017. The Phase 1 work would be the same as in Option 1. Any costs of completing the Phase 1 work or any future phase that is over and above the funding available through the capital project is recommended to be front ended by the landowners with reimbursement to be provided over an agreed to annual repayment schedule and upon further capital budget approval. The current estimate to complete the study and Plan is approximately \$2.2 million, inclusive of the property taxation funded amount. This option would lessen the impact on the City's cash flows by spreading the payments over a number of years. This will also help to spread the required \$111,700 of property taxation funding over multiple years.

Based on the above, Option 2 is considered to be the preferred alternative as it spreads the costs of completing the Secondary Plan Study over a number of years. This is considered to be advantageous to the City from a cash flow perspective as well from the reduced impact on property tax funding for each year during the payback period. It is expected that negotiation with the owners will be required prior to reaching a funding agreement if Option 2 is selected.

Communications Plan

The report and all attachments are available on the Agenda, Minutes & Extract page of the City's website (www.vaughan.ca). Key stakeholders including SmartReit (a major landowner) have requested the City to advance this study.

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Purpose

This report serves to respond to the March 21, 2017, Vaughan Council Resolution, which provides as follows:

Whereas the Weston Road and Highway 7 Secondary Plan forms part of the area described on Schedule 14-A “Areas Subject to Secondary Plans” to the Vaughan Official Plan 2010 as “the Weston Road and Highway 7 Secondary Plan”, which is shown as a “Required Secondary Plan Area”;

Whereas Vaughan Council has received requests from SmartReit, and other landowners in the Secondary Plan Area to advance the Secondary Plan immediately;

Whereas the Weston Road and Highway 7 Secondary Plan Area is the recipient of major transit infrastructure investment and is an area where major new mixed use development is contemplated;

Whereas City staff have shared concerns about the ability to commence this work in this current fiscal year, and future years due to 1) existing budget commitments, 2) new required budget approvals, 3) workload associated with existing Council Service Excellence priorities, and 4) resource capacity and logistical considerations;

Therefore let it be resolved that:

Staff be directed to report back on options and a proposed work plan for initiating the required Secondary Plan for the Weston Road and Highway 7 Area for May 2017 Committee of the Whole Meeting with such options to include working with landowners and stakeholders to address resourcing and funding implications associated with advancing the Secondary Plan at this time.

The full resolution forms Attachment 1 to this staff report.

Location:

The subject lands are located in Ward 3, west of Highway 400 in the four quadrants of the Weston Road-Highway 7 intersection. They are shown on Attachment 2 to this report.

Background - Analysis and Options

1) *The subject lands are identified as requiring the preparation of a Secondary Plan in the Vaughan Official Plan 2010.*

The subject lands are identified on Schedule 14 A, Volume 1 of the Vaughan Official Plan 2010 (VOP 2010) as a Required Secondary Plan Area. A preliminary Terms of Reference was drafted to reflect the original budget, based on the Secondary Plan requirements of VOP 2010. The draft Scope of Work focused on establishing detailed Secondary Plan policies to advance the development of a Primary Centre. As a Primary Centre, the subject lands rank immediately below the Vaughan Metropolitan Centre (VMC) in the City's hierarchy of Intensification Areas. The scope of work also identified the need to consider the influence of adjacent lands and land uses, access to external services, examination of traffic and transportation and background traffic, as well as potential traffic infiltration into adjacent areas. In addition, the scope included the need to identify areas of further or future study and infrastructure improvements, beyond the Secondary Plan Area.

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Since 2011, most of the City's Secondary Planning efforts have been directed towards the development of the VMC Secondary Plan, Secondary Plans in other Intensification Areas (Maple, Concord, Vaughan Mills, etc.), the New Community Areas, Council directed studies, and the resolution of VOP 2010 appeals. The Weston Road and Highway 7 Secondary Plan has always been expected to be influenced by the outcome of the VMC Secondary Plan, in particular, the impacts of the transit and transportation investment, availability of community services and facilities, amenity space and dedicated parkland, etc. Additionally, given the proximity of the Weston Road and Highway 7 Secondary Plan to the VMC, the Weston Road and Highway 7 Secondary Plan is also expected to be influenced by the resulting density and building heights that were approved in the nearby VMC. Consequently staff had recommended sequencing the Weston Road and Highway 7 Secondary Plan after all VMC matters had been settled.

- 2) *The Weston Road and Highway 7 Secondary Plan was approved with an estimated budget of \$298,000 through the 2011 budget process but was reduced by \$45,000 in 2012 as a result of changing priorities.***

In 2011, Council approved a Capital budget allocation of \$298,000 to undertake the Weston Road and Highway 7 Secondary Plan (PL-9023-11). The budget was estimated based on the assumptions in Table 1 below. Staff did not proceed with the study as there was only one major project (Liberty Developments) proposing mixed-use development in the Secondary Plan Area, which was authorized by Vaughan Council in early 2011 to proceed as a site specific application. At the same time, stakeholders were requesting the City to advance other plans.

On January 16, 2012, staff brought a report to the Finance and Administration Committee to request the reallocation of funds from the Weston Road and Highway 7 Secondary Plan Study to the Concord GO Centre Secondary Plan Study in the amount of \$45,000. Council approved the request on January 31, 2012 (Item 3, Report No. 1, Finance, Administration and Audit Committee). The remaining budget is \$253,000.

Table 1: PL-9023-11 - Project Funding Summary

	Amount
Consultant Costs (consultant retainer, transportation, urban design and planning analysis)	\$ 260,000
Miscellaneous Costs (Administrative costs, contingency fees, etc)	\$ 29,000
3% Administration Cost	\$ 9,000
Total Original Approved Budget	\$298,000
Less: Budget Re-Allocated to Concord Centre Study (Jan 31, 2012)	(\$45,000)
Net Remaining Balance	\$253,000

The Concord GO Centre Secondary Plan was successfully completed and approved without appeal. It provides the policy framework underpinning the rationale for the City continuing to advocate for the inclusion of the proposed Concord GO Rail Station into of the Metrolinx Regional Express Rail (RER) 10-year program.

- 3) *The Scope of Work for the Weston Road and Highway 7 Secondary Plan Study would need to be revisited as the context has changed since budget approval in 2011.***

Since 2011, there have been significant changes surrounding the Weston and Highway 7 Secondary Plan area. The land use context, transportation and transit capacity, demographics, and the results of major OMB appeal settlements have had material implications for the future secondary plan study. As an example, the following factors would need to be considered in a revised scope of work:

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- i) Increasing high density mixed-use development in the VMC and along Highway 7, west of the study area;
- ii) Three outstanding OMB appeals in the Secondary Plan Area and the implications for development within the Secondary Plan boundary;
- iii) The changes in demography, traffic capacity and transit infrastructure since 2011 that were not accounted for in the surrounding area (VMC to the east);
- iv) Major transportation infrastructure, including the Viva Bus Rapid Transit service, and the impact of the subway;
- v) The need for comprehensive urban design work;
- vi) The settled heights and densities in the VMC;
- vii) The ongoing complexity and the time involved in preparing transportation studies and analysis associated with obtaining MTO approvals in areas adjacent to Highway 400 and Highway 407. This is evidenced by the Joint Transportation Study for the VMC and studies along 400 series highways in other parts of York Region (e.g. Buttonville, Markham).

These factors are expected to have significant implications for the way the area would need to be studied and planned. They should be taken into consideration in developing the revised Scope of Work. The complexity of these issues would require further analysis which would be expected to increase the number of participating professional disciplines, the length of time the study would take and the expected costs relative to the originally approved scope and budget.

4) *The current projected cost to complete the Weston Road and Highway 7 Secondary Plan Study is estimated to be approximately \$1.8 - \$2.5 million.*

It is estimated that the overall cost of the Weston Road and Highway 7 Secondary Plan could be in the range of \$1.8 - \$2.5 million. This estimate includes consulting services (Land Use Planning, Urban Design, Transportation Engineering, and Parks Development), salary for four additional staff resources to support the project, and a contingency allowance. This is summarized in Table 2 below.

Given the complex planning and transportation issues identified in paragraph 3 above and based on experience with similar studies, it is recommended that a contingency of 15% be carried to cover unexpected costs which may arise during the project. The 15% contingency would not include any additional work required for an Ontario Municipal Board hearing and/or mediation work.

Table 2: Estimated Project Costs

	Estimated Amount
Consultant Retainers:	
Transportation and Servicing Analysis	\$500,000-\$800,000
Urban Design Analysis	\$200,000-\$350,000
Planning Analysis	\$150,000-\$250,000
Parks Development	\$150,000-\$200,000
Sub-total	\$1,000,000-\$1,600,000
Contingency (non incl. of OMB) (approx. 15%)	\$150,000-\$240,000
Total Estimated Consultant Costs	\$1,150,000 - \$1,840,000
Contract Staff Resources *	\$520,000
Non-recoverable HST and Admin. Recovery	\$80,000- \$105,000
Total Estimated Project Costs	\$1,750,000 - \$2,465,000

* Contract staff resource costs includes accommodation costs

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Table 3: Project Funding Summary

Capital Project - PL-9023-11	Amount
Available Budget	\$253,000
Less: Estimated Project Costs	\$1,750,000-\$2,465,000
Budget Shortfall	\$1,497,000-\$2,212,000
<u><i>Funding Sources:</i></u>	
Engineering Development Charges (Transportation analysis, contingency and contract Transportation Engineer)	\$735,000-\$1,095,000
General Government Development Charges (90% of balance of consulting retainers, contingency and contract staff costs)	\$685,000-\$1,005,300
Property Taxation (10% of balance of consulting retainers, contingency and contract staff costs)	\$77,000-\$111,700
Total additional funding required	\$1,497,000-\$2,212,000

The estimated costs include approximately \$520,000 for contract staff required to support the advancement of the study as there are insufficient resources in place in key departments including Policy Planning and Environmental Sustainability, Development Engineering and Infrastructure Planning, and Urban Design to initiate and manage a Secondary Plan study of the scale required for this area. Despite efforts to fill current vacancies, many remain.

The estimated cost of approximately \$520,000 includes a Planner / Project Manager, Transportation Engineer, Urban Designer, and Parks Development Planner all at 30% of the full-time equivalent position, allocated over the course of a 3 year term, to support the preparation of the Secondary Plan (\$120,000 for each of the four additional staff members + a total of \$40,000 for space accommodation).

Additional contract staff would help mitigate (but not eliminate) the negative impact on current projects and previously identified priorities. Other workload pressures for the departments include planned and funded work in pursuit of other Service Excellence Strategy initiatives and other Council-directed work. To avoid impacting the timing of ongoing work, it is expected that it would take approximately 6 months to *initiate* the study process and take it to the point of retaining a Secondary Plan consultant team. This would include finalizing the Terms of Reference, preparation of a Request for Proposals in conjunction with the Purchasing Department and working with Human Resources to complete the hiring process for contract staff.

The upset funding requirement of \$1.497 million to \$2.212 million was informed by an understanding of the actual costs of undertaking the Vaughan Metropolitan Centre Secondary Plan (VMC) and the Vaughan Mills Centre Secondary Plan (VMCSP) and the follow up studies required to bring these Plans to their current state of approval. These plans were used as a comparable due to a number of similar characteristics including their designation as a "Primary Centre" and a "Regional Centre" on Schedule 1 of VOP 2010 the City's Urban Structure Plan. Many of the transportation, urban design and land use issues affecting these areas will also be faced at the Weston Road and Highway 7 Area.

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5) *Staff has been approached to consider alternative approaches to the undertaking of the Secondary Plan*

Staff has met with a representative of SmartReit to discuss options for the financing and phasing of the study. SmartReit is a significant stakeholder as they own or manage the majority of lands in the northeast and northwest quadrants of the study areas. SmartReit expressed an interest in the possibility of phasing the study into more manageable milestones beginning with the transportation analysis based on land use concepts previously prepared for the northeast quadrant. In addition, concerns were raised over the costs associated with the other component studies and whether they were justified given the level of information that was available from the work completed on the VMC. It was suggested that a phased approach would allow for subsequent tasks to be better scoped, with existing work or City policies to be leveraged, once a greater level of detail is known on the nature of the required work to address agency (MTO, York Region) and stakeholder interests.

There was a consensus that the key element of this study program would be the transportation work, based on the preparation of preliminary land use concepts, and that it could be undertaken as a first phase. Such a first phase would include the preparation of testable development scenarios, which would be analyzed to identify the transportation measures required to confirm an optimal land use and urban structure scenario. This would assist in identifying the appropriate mix of land uses, any changes to the internal public road network and any transportation demand management measures that may be needed. Also, it would provide the basis for approaching York Region (Highway 7/Weston Road) and the Ministry of Transportation (Highways 400/407), the main road authorities, with requests for external improvements and necessary approvals.

In order to proceed with the complete study it is anticipated that a full commitment of up to \$800,000 would be necessary to conduct the transportation study. The \$253,000 already in the project budget would be applied to the initial first phase work on scenario development and analysis. The full commitment would be sought after completion of Phase 1.

On this basis, staff recommend reporting back to Committee of the Whole after a land use/transportation consultant is retained and meetings are held with stakeholders and the Phase 1 work is completed. Part of this work will include preparing a proposed Scope of Work that will provide more detailed information as to the breadth of the required work, beyond Phase 1, including the work program, the financial impacts and the length of time required to bring the study to the point of adopting a Secondary Plan. It would also clarify the budget needs going into 2018 over and above the current allocation. The report would also confirm the extent of work completed on the basis of the existing budget. Also, the report would be informed by proposals from landowners to finance costs and phase work.

6) *Proposed Work Plan*

Given the complex planning and transportation issues identified in paragraph 3 of this report, and based on experience with similar studies in other Primary Centres such as the Vaughan Mills Centre Secondary Plan, the Yonge – Steeles Secondary Plan, and Vaughan Metropolitan Centre (Regional Centre), it is normally anticipated that the study would take approximately 36 months to complete (not including any OMB appeals). The procurement process, for the complete detailed study could take up to 6 months to complete. This work will include defining the Scope of Work with the benefit of stakeholder input, drafting the Terms of Reference, developing the Request for Proposal, issuing the RFP, undertaking the evaluation process and awarding the contract.

Subject to further refinement of the work plan, as discussed above, the targeted completion of the study (i.e. adoption of the plan) would be approximately 36 months from the execution of the more detailed consulting contract for the full transportation study.

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7) *Options to address resourcing and the funding implications associated with advancing the Secondary Plan at this time:*

The following options have been identified to advance the Secondary Plan Study:

Option 1: Staff would undertake the initial stages of the Study beginning in 2017 and would proceed with a funding request for the 2018 Capital Budget

In this option, Staff would utilize the project's existing available budget of \$253,000 to initiate the first phase of the Study in 2017, which would consist of hiring contract staff and retaining a land use and transportation consultant at the earliest opportunity, to prepare and analyze some initial land use concepts and prepare a detailed scope of work for the transportation study beyond Phase 1. This work will include compiling background research focusing on existing conditions, confirming the underlying policy framework and the interests of stakeholders. To accelerate this work a recommendation for authority to single source these required experts has been included as a recommendation of this report.

As part of the 2018 budget process, Staff would submit a funding request in the amount of \$2.2 million to provide the balance of funds required to complete the proposed workplan. The total revised budget would consist of a minimum of \$1.0 million for an external consulting team and approximately \$520,000 for additional contract staff to assist with managing, coordinating, and providing technical expertise for reviews. Based on the current estimates, the capital budget amendment would be funded by a total of approximately \$1.1 million in Citywide Engineering Development Charges, \$1.0 million in General Government Development Charges and \$111,000 in property taxation. This option does not preclude the phasing approach identified in paragraph 5 above.

Although funding sources exist for the balance of funds required to advance the Study, the Capital Budget amendment would have a financial impact on the City. The General Government Development Charges Reserve is already in a negative position and continues to be pressured by the numerous studies being advanced by the City. In addition, the \$111,000 in property taxation funding would need to be prioritized in the 2018 budget process against other City initiatives.

Aside from the financial impacts, this option would require a detailed evaluation to determine which Service Excellence commitments would be impacted and by how much. It is expected that VOP 2010 OMB appeals, work on the Municipal Comprehensive Review and mediation efforts related to the VMC Secondary Plan and other key priority areas could be delayed.

Option 2: Staff would undertake the initial stages of the Study beginning in 2017. The City would require the landowners front-end the costs to complete the Study with the City reimbursing the landowners over an agreed period of time.

In this option, Staff would utilize the project's existing available budget of \$253,000 to initiate the first phase of the Study in 2017, which would consist of hiring contract staff and retaining a land use and transportation consultant at the earliest opportunity, to prepare and analyze some initial land use concepts and prepare a detailed scope of work for the transportation study beyond Phase 1. This work will include compiling background research focusing on existing conditions, confirming the underlying policy framework and the interests of stakeholders. To accelerate this work a recommendation for authority to single source these required experts has been included as a recommendation of this report.

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The City would require the landowners to front-end (subject to any agreed to phasing) any costs of completing Phase 1 works or any future phase that are over and above the funding available in the capital project. The City would reimburse the landowners over an extended period of time for the Study costs. It is currently estimated that the additional funding required to complete the study and Plan is approximately \$2.2 million, inclusive of the property taxation funded amount.

One of the main benefits of this option is that it would distribute the financial impact to the City over a longer period of time. The \$111,000 in property tax funding required to complete the Study would be spread over multiple years, which would help minimize any reprioritization required of other City initiatives funded from property taxation. Also, considering that the General Government Development Charge Reserve is in a negative position, this option would also help spread the impact on the Reserve over a number of years, allowing the possibility to more evenly balance development charge collections with the reimbursement payments each year.

Similar to Option 1, this option would still require a detailed evaluation to determine which Service Excellence commitments would need to be delayed and by how much. It is expected that VOP 2010 OMB appeals, work on the MCR and mediation efforts related to the VMC Secondary Plan and other key priority areas could be affected.

Based on the above analysis, Option 2 is considered to be the preferred alternative from a financial perspective as it spreads the costs of completing the Secondary Plan Study over a number of years. This is considered to be advantageous to the City's cash flows and mitigates the annual impact on the required funding from property taxation. It should be noted that internal staff resources may be required to negotiate such an agreement with landowners.

Relationship to Term of Council Service Excellence Strategy Map (2014-2018)

This report supports the following priorities set forth in the Term of Council Service Excellence Strategy Map (2014-2018):

- Continue to ensure the safety and well-being of citizens; and
- Continue to cultivate an environmental sustainable city

Regional Implications

The Region is a major stakeholder due to Highway 7 and Weston Road being regional roads and its responsibility for the transit infrastructure along Highway 7. As such it will play a major role in this study. The Region is the approval authority for any amendment to VOP 2010 that may result from this process.

Conclusion

Staff remain concerned about the potential impact that initiating the Weston-Seven Secondary Plan study may have on the status of other previously initiated Council priorities and their relevant budgets. If Council wishes to proceed, the course of action should be guided by the need to mitigate the budget issues and ensure that previously identified priorities are not compromised. For these reasons staff would recommend that Option 2 be selected, should Council wish to proceed.

Upon receipt of Council direction, staff would report back to Committee of the Whole after the initial work is completed, expected in late 2017, with a proposed Scope of Work and refined work plan for the transportation study that benefits from greater stakeholder and agency input that

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reflects the complexities presented in this report. The follow up report may be further informed by a more detailed proposal from SmartReit or other landowners in the study area, respecting the phasing and funding of the study. This would provide staff with the opportunity to provide greater clarity on the financial impacts, the potential sources of funding and the nature of any required agreements or other measures necessary to implement the selected option.

Attachments

1. March 21, 2017, Vaughan Council Resolution “Requested Report on Options to Initiate Work on the Weston Road and Highway 7 Secondary Plan”.
2. Location Map of Weston Road & Highway 7 Study Area.

Report prepared by:

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Rita Selvaggi, Manager of Financial Planning & Analysis, Ext: 8438

(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.)