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COMMUNICATION
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February 2 / 16
ITEM - 15

## memorandum

**DATE:** JANUARY 28, 2016

**TO:** MAYOR AND MEMBERS OF COUNCIL

**FROM:** JOHN MACKENZIE, DEPUTY CITY MANAGER  
PLANNING & GROWTH MANAGEMENT

**SUBJECT:** COMMUNICATION

**ITEM #15, REPORT #6 – COMMITTEE OF THE WHOLE – FEBRUARY 2, 2016**

**VOP 2010 PROPOSED MODIFICATIONS TO  
SCHEDULE 2 “NATURAL HERITAGE NETWORK”  
(REFERRED)**

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### Recommendation

1. That Attachments 2 and 3 of Item #15, Report #6 be replaced with a revised Attachment 2 (Revised Modified Schedule 2), attached hereto, to address correspondence received by the Committee and further discussions with landowners, appellants and staff.
2. That staff amend the Revised Schedule 2, as necessary, to incorporate any development approvals, including Ontario Municipal Board (OMB) decisions affecting the Natural Heritage Network such as Official Plan Amendment 744, in advance of the March 23, 2016 OMB Pre-hearing Conference.
3. That notification of the March 23, 2016 OMB Pre-hearing Conference be advertised in the newspaper and posted to the City's website.

### Purpose

The purpose of this communication is to respond to communications received at the January 12, 2016 Committee of the Whole meeting and to obtain direction to incorporate additional changes to the Modified Schedule 2 to reflect any development approvals, including OMB decisions, and to address any appropriate revisions based on staff review of the correspondence received on this item, in advance of the next Vaughan Official Plan 2010 OMB Pre-hearing Conference.

### Background – Analysis and Options

#### Public Consultation

As part of the ongoing Natural Heritage Network study, the revised Schedule 2 has been the subject of an extensive public consultation exercise. The revised Schedule 2 was presented at the June 17, 2014 Committee of the Whole Public Hearing. In advance of the June 17, 2014 public hearing, the following additional consultations took place:

- seven public meetings, including open houses and Committee meetings of Council;
- four community consultation events;
- several presentations to stakeholders such as the Kleinburg Area Ratepayers Association and the Building Industry and Land Development Association (BILD);

- over 20 meetings with individual landowners and/or their consultants; and
- web-based information updates including interactive mapping and an online survey.

Following the presentation and release of the NHN study materials, including the revised Schedule 2, seven additional meetings were held in October and November 2014 to further discuss the proposed modifications in greater detail.

On April 14, 2015, staff reported back to the Committee of the Whole to provide revised details of the proposed Official Plan Amendment, including a revised Schedule 2. At the subsequent Council meeting of April 21, 2015, Council directed staff to schedule additional meetings with stakeholders to discuss further revisions and to clarify the intent of the proposed amendments. Meetings between stakeholders and Staff were held on the following dates:

- May 1, 2015;
- May 15, 2015;
- May 25, 2015;
- May 26, 2015.

The revised Schedule 2, as part of the overall Natural Heritage Network study and associated proposed Official Plan Amendment, proceeded to a further Committee of the Whole meeting on June 16, 2015.

In order to address Council's direction to resolve OMB appeals and to properly reflect the settlement of appeals based on the updated NHN information, a report was taken to Committee of the Whole on January 12, 2016 requesting that the Revised Schedule 2, independent of the complete Official Plan Amendment proposed through the Natural Heritage Network study, be endorsed by Council and forwarded to the Ontario Municipal Board for approval. The modified version would recognize changes resulting from development approvals, OMB decisions and other corrections since the adoption, but would exclude the lands subject to appeals.

#### Response to January 12, 2016 Correspondence

Correspondence from various landowners and appellants to the Vaughan Official Plan 2010, pertaining to the proposed Modified Schedule 2, was received at the January 12, 2016 Committee of the Whole meeting. Following that meeting, staff met with the stakeholders to further discuss the proposed changes and the stakeholders' concerns.

#### *Lands under Appeal*

Through discussions between staff, the landowners and appellants, it was determined that only the Natural Heritage Network information previously endorsed by Council should be identified on the Revised Schedule 2 for those lands that are still subject to an appeal before the OMB. Further, it was determined that a specific notation, confirming that the extent of the Natural Heritage features in these areas will be confirmed through the OMB appeal process, should be included in the Modified Schedule 2.

Staff also received correspondence from certain appellants confirming that the proposed modifications to Schedule 2 will resolve their appeal of the schedule. The notation identifying these appeals has therefore been removed from the Modified Schedule 2 and the revised Natural Heritage Network information is proposed to be approved for these areas.

#### *Lands Subject to Secondary Plans, Block Plans and Development Approvals*

Concerns were raised through correspondence and at the January 18, 2016 meeting with stakeholders pertaining to previous and forthcoming Secondary Plan processes, Block Plans and



development approvals that may have conflicting, or result in, NHN information that is different from what is identified on the Revised Schedule 2.

Staff has assured stakeholders that, with respect to Secondary Plans, in the event of a conflict the Secondary Plan (or other Volume 2 policy/schedule) will prevail over the policies and schedules contained in Volume 1, as per Policy 10.2.1.8 of VOP 2010. With respect to block plans and development applications, it is intended that any refinements to the NHN resulting from existing or future block plan or development application approvals, as determined through the appropriate technical studies, will be incorporated into the Revised Schedule 2 without the need for an Official Plan Amendment. As such, staff recommends adding the following text to the Revised Schedule 2 to clarify this intent:

“The policy text in Chapter 3 prevails over the mapping shown on Schedule 2 in determining the NHN. Core features shall be precisely delineated on a site-by-site basis through the approval of *Planning Act* applications, supported by appropriate technical studies. Refinements to the NHN may occur through Secondary Plan, Block Plan or development approval processes and shall be reflected on this schedule without the need for an Official Plan Amendment. Where the Schedule does not accurately reflect an existing development approval, the Schedule may be updated without the need for an Official Plan Amendment.”

#### *Administrative Corrections*

Various administrative corrections to the Modified Schedule 2 are also included in the Revised Attachment 2, attached hereto, including the addition of certain appellants to Schedule 2 and the revised delineation of certain appeal areas.

The Revised Attachment 2 replaces both Attachment 2 and Attachment 3 from the January 12, 2016 staff report. These attachments were intended to present the same Natural Heritage Network information, with only Attachment 3 identifying the appellant areas. The Revised Attachment 2 consolidates this information into one schedule.

#### Future VOP 2010 Natural Heritage Network Amendment

There is ongoing discussion with stakeholders regarding the policies and detailed schedules of a more comprehensive and significant amendment, resulting from the ongoing NHN study. Staff will continue to work with stakeholders to address issues of concern with the draft amendment, including concerns pertaining to compensation, and are awaiting additional input from stakeholders on this matter prior to bringing an updated NHN study report and amendment forward for Committee of the Whole's consideration.

#### **Conclusion**

There has been significant public consultation with respect to Vaughan's updated Natural Heritage Network information, including proposed revisions to Schedule 2, over the past several years. As a result, a number of appeals pertaining to the NHN will be resolved upon approval of the Revised Schedule 2, and the Board will be able to bring further certainty to the City, parties, applicable land owners and the public with respect to Vaughan's natural heritage. Staff is therefore recommending that Council approve the recommendations set out in the report, with the Revised Attachment 2 (Modified Schedule 2), and that the recommendations be forwarded to the Region of York and the Ontario Municipal Board to seek an Order approving Schedule 2, as modified, save and except for those lands subject to a site- or area-specific appeal.

A more comprehensive amendment to VOP 2010 pertaining to the broader NHN study will be brought forward at a future Committee of the Whole meeting, subject to additional progress being made on matters of concern raised by stakeholders.

Respectfully submitted,



**JOHN MACKENZIE**  
Deputy City Manager  
Planning & Growth Management

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Attachment

1. Revised Attachment 2 to Item #15, Report #6 – Committee of the Whole – February 2, 2016

Copy To:        Steve Kanellakos, City Manager  
                     Jeffrey A. Abrams, City Clerk  
                     Roy McQuillin, Director of Policy Planning and Environmental Sustainability



Revised Attachment 2 to Item #15, Report #6  
Committee of the Whole - February 2, 2016

