

Vaughan (Town) Parkway Belt West Plan Consolidated  
Amendment

(Re)

IN THE MATTER OF The Parkway Belt Planning and  
Development  
Act, (R.S.O. 1980), and Section 6(2) of the Ontario  
Planning and Development Act, (R.S.O. 1980)

AND IN THE MATTER OF a request by the Minister of  
Municipal  
Affairs to appoint a member of the Ontario Municipal Board  
to conduct a hearing in respect of the proposed Vaughan  
Consolidated Amendment to the Parkway Belt West Plan,  
March  
1988, as it applies to 28.95 hectares of land within part  
of Lots 1, 2, 3, 4 and 5, Concessions 7 and 8 in the Town  
of Vaughan

Ontario Municipal Board Decisions: [1989] O.M.B.D. No. 2022  
File No. M 890062

Ontario Municipal Board  
Diana L. Santo  
November 30, 1989

COUNSEL:

David G. Carson, for the Ministry of Municipal Affairs.  
Richard R. Arblaster, for Dinko Muzich (Site 5), Domenic  
Valsi (Site 5), and Lasar Hristovski (Site 6).

AGENTS:

Michael Welch, for 734903 Ontario Limited (Site 3).  
Patrick Sweet, for Gary McKinnon, Magwood Holdings (In  
Trust)  
(Site 1), Maree O'Tee, and Marie Helen Hunt (Site 2).  
Doris Dobson, for Mr. and Mrs. Ronald Dobson.

WITNESSES:

Lindsay Dale-Harris, Patrick Sweet, James Thurgood, Michael  
Welch and Doris Dobson.

REPORT TO THE MINISTER OF MUNICIPAL AFFAIRS  
delivered by D.L.  
SANTO:--

This is a report pursuant to Sections 8(2) and 6(6) of  
the Ontario Planning and Development Act. The amendment  
under  
consideration is for the purpose of deleting 6 specific  
properties (Sites 1 to 6) from the provisions of the Parkway  
Belt West Plan (the "Plan"). As all 6 sites are located in the  
Woodbridge Area of the Town of Vaughan, it was considered  
appropriate to prepare a consolidated amendment. Requests to  
initiate an amendment to the "Plan" were received by the  
Minister of Municipal Affairs (the Minister) by the respective

property owners during 1986. The amendment process was  
initiated by the Minister on November 27, 1987.

This hearing took place on November 6, 1989 in Maple in  
the municipal offices for the Town of Vaughan. Although 4 days  
were set aside, I was able to conclude the hearing  
expeditiously in less than a half day and orally advised that  
my recommendation to you would be to recommend to the  
Lieutenant Governor in Council the adoption of the amendment.

I was satisfied from the documentation and the  
submissions of Mr. Carson that all of the statutory  
requirements with regard to notice and creation of Committees  
had been met. The Citizen's Advisory Committee and the  
Political Advisory Committee reported in favour of the  
deletion of each of the 6 sites. All Government agencies who  
are normally consulted were given the opportunity to review  
the amendment and comment. No negative comments were  
received.

No one appeared in opposition. The witnesses were not  
cross-examined by the other counsel.

Some of the sites were formerly in the ownership of the  
Province in the name of the Minister of Government Services.  
They were originally purchased pending the finalization of the  
routing for Highway 407 and the Hydro 500 k.v. line. Sites 1,  
2, 3 and Part of Site 4 were declared surplus and sold by the  
Minister of Government Services with the approval of Cabinet  
to private individuals during 1985 and early 1986. This action  
in itself, I believe, speaks to their very redundancy in the  
"Plan".

It was the evidence of Mr. James Thurgood, an official  
with the Ministry of Municipal Affairs, that the 6 sites total  
some 72 acres. All are within the same geographic area being  
located in the Plan at the junction of the two northern  
links - Milton to Woodbridge and Woodbridge to Markham. The  
amendment consists merely of map changes to delete each site  
from the provisions of the Parkway Belt Plan.

It was Mr. Thurgood's opinion that all of the goals and  
objectives contained in Sections 2, 3 and 6 of the Plan can be  
met with the deletion of the 6 sites. In his opinion, all of  
the utility facilities have been defined, the separation  
concept between communities is not harmed and there is  
extensive Government ownership for access and recreational  
purpose with some 500 acres of open space available along the  
Humber River and some 1500 acres available at Clairville  
Conservation Authority. All of the other witnesses were of the  
same opinion and there is no need to elaborate on each of  
them. I find that all of the goals and objectives of the  
Parkway Belt Plan can be implemented without the need of these  
lands.

I will briefly outline the merits of each of the sites.

#### Sites 1 and 2

The evidence in support of the deletion of Sites 1 and 2 was given by Patrick Sweet. His curriculum vitae speaks for itself and was filed as Exhibit 7.

Both sites are located west of Martingrove Avenue and somewhat north of Steeles Avenue. They are located immediately south of the Highway 407 Corridor and the sites are separated by the Hydro Corridor.

The sites were declared surplus and the documentation of their respective sales from Ministry of Government Services is contained in Exhibit 5. The sites are to be developed in conjunction with the industrial lands to the south that abut Steeles Avenue. To this end, the Minister has deferred Official Plan Amendment 292, which designates these lands for Prestige Industrial purposes, pending the approval of the subject amendment.

The lands are clearly surplus to the needs of the Highway 407 or Hydro Corridor. They have reverted back to private ownership and are properly planned for future development by the municipality.

I support the deletion of Sites 1 and 2 from the "Plan".

#### Site 3

The evidence in support of the deletion of Site 3 was given by Michael Welch, a qualified planner. His brief was filed as Exhibit 8. Exhibit 9 is a copy of the Order in Council dated May 1985, which authorized the sale of this 22 acre parcel on the basis that "the said lands and premises are no longer required for the use or purpose of the Government".

The above noted Order authorized the sale to 605095 Ontario Inc. However, Mr. Welch advised that the property was subsequently transferred to 734903 Ontario Limited which he represents.

Site 3 is located to the immediate north of the new Highway 407 Corridor and immediately east of the Hydro 500 k.v. line. Site 3 fronts onto Martingrove Avenue.

While there is no Official Plan Amendment pending, the site is subject to adequate zoning controls - zoned PB1 (Parkway Belt).

I support the deletion of Site 3 from the "Plan".

#### Site 4

Site 4 is made up of two parcels of land each held under the separate ownership of Mr. and Mrs. Dobson. One parcel is 3

acres in size, the other is 5.6 acres.

Mrs. Dobson described to the Board how her family homestead of 100 acres was carved up through expropriation for both the Highway 407 and the Hydro Corridors. From the 100 acres, she and her husband were left with 3 acres fronting on Martingrove Avenue. When the Province declared surplus, the 5.6 acres immediately abutting their 3 acre parcel, they bought it back. Site 4 is to the immediate north of Site 3. Her briefs were filed as Exhibits 10 and 11.

Mrs. Dobson's evidence was that the municipality supported the deletion and in fact her property was included in the pending Official Plan Amendment 240 which designates the site for industrial purposes.

I support the deletion of Site 4 from the "Plan".

#### Sites 5 and 6

The evidence in support of the deletion of Sites 5 and 6 was given by Lindsay Dale-Harris, a qualified planner and Director of John Bousfield and Associates Limited.

Site 5 is 9.2 acres in size and Site 6 is some 20 acres in size. Each site has always been held in private ownership and are located on the east side of Kipling Avenue, a short distance south of Highway 7. Sites 5 and 6 are designated Public Open Space.

The sites consist mostly of tablelands that are fairly flat and featureless. The lands fall off outside the subject sites to the east and south into the valley of the Humber River where the Province owns some 250 acres. Some of these public recreation lands are leased by the Ministry of Government Services to a private club known as San Marco and Veneto Associates Club. On the west side, directly across Kipling Avenue, there is a new residential development proposed under File 19T-85084. To the south of this new development is approximately 185 acres of land consisting of the valley of the Rainbow Creek that is in public ownership (Ministry of Government Services).

Sites 5 and 6 are within the defined urban area of Woodbridge and full municipal services have been allocated to their prospective residential development. Official Plan Amendment 240 adopted by the Town designates these sites for residential development. The Minister has deferred approval of Official Plan Amendment 240, pending the approval of the subject amendment to the "Plan". The lands according to the evidence are not needed nor suitable for recreational purposes as designated by the Parkway Belt Plan. In addition, I am satisfied that the development of these lands will not harm the separation concept between urban communities. The lands are desirable for residential development and are appropriately planned for such purpose.

I support the deletion of Sites 5 and 6 from the Plan.

Lying between the northern limit of Site 5 and the southern limit of existing residential development of Woodbridge is another parcel of vacant tableland in the ownership of the Ministry of Government Services. It also is contained within the serviced urban envelop of Woodbridge. As this is a report to the Minister where the Hearing Officer may make recommendations to the Minister, I respectfully recommend that the Minister, in conjunction with the Minister of Housing, give serious consideration to the development of these Ministry of Government Services lands as part of its program of providing "affordable housing", providing of course these lands are not already planned for some other purpose. They are ideally situated within an urban community and are already slated for services. Therefore, no special arrangements need to be made.

With Sites 5 and 6 deleted from the Plan and should Official Plan Amendment 240 come into force, these Ministry of Government Services lands would then be isolated from the balance of the Parkway Belt Plan. With public ownership already in place, the Province can provide for innovative housing forms with direct control over future ownership and income means test requirements.

I would also recommend that the Minister give consideration to initiating an amendment to the Ontario Planning and Development Act which would streamline the amendment procedures for the Parkway Belt Plan. Four years seems awfully long for simple straightforward matters.

#### Recommendation

I conclude, for the reasons set out, that the 6 parcels of land may be deleted from the Plan without any negative impact on the objectives and policies of the Plan. Therefore, I respectfully recommend to the Minister of Municipal Affairs that the amendment filed as Exhibit 1 dated February 1988 be submitted to the Lieutenant Governor in Council with a recommendation by the Minister for its approval.

DIANA L. SANTO, Hearing Officer & Member of Ontario  
Municipal  
Board