

Following the Labour Day weekend as people get back to work, the kids return to school and everyone appears to be back at their desk, activity levels traditionally spike and the business cycle seems to generally speed up.

This summer has been a bit different for planning consultants as many municipalities are attempting to wrap up new official plans or zoning by-laws prior to the October 25th municipal elections. Consequently the summer of 2010 was a busy (and hot) one as many municipalities continued to meet, draft documents were reviewed and clients were represented.

Adoption of new municipal documents are usually quite positive in that land use certainty is provided to the market, which often leads to new development applications moving forward. The adoption of these documents also regularly leads to some parties filing appeals / referrals to the Ontario Municipal Board in an effort to protect or secure value.

Notwithstanding the pronouncements by various groups as to the strength or weakness of the housing market in the GTA, we remain optimistic as to relative strength of the market and a persistently strong activity level.

As always, we look forward to your comments and feedback on this edition of "Pulse". We are considering making some changes to the newsletter for the next edition and look forward to your input.

Mark N. Emery, BES, MCIP, RPP  
President



## Project Spotlight 2157 LAKE SHORE BOULEVARD, TORONTO

One of Toronto's key waterfront communities, the **Humber Bay Shores** neighbourhood, has recently been the subject of a number of development approvals, including a project by **Graywood Developments Ltd.** on the site of the former "Silver Moon Motel". The Humber Bay Shores neighbourhood, also known as the "**Motel Strip**" has undergone significant transformation in the past several decades and has emerged as one of the most desirable waterfront communities in Toronto.

**WCGI** has been involved in planning projects in the area for more than ten years and was retained by Graywood Developments in 2008 to implement a vision for a mixed use development. This vision called for greater pedestrian connectivity, street-oriented built form, and high quality urban design.

WCGI submitted official plan and zoning by-law amendment applications in 2008 with support from **Page and Steele Architects,**

**Schaeffers & Associates, Strybos Barron King Limited,** and the **MMM Group.** The approved development consists of three buildings, including a 5-storey office building along Lake Shore Boulevard, an 8-storey residential building, and a 36-storey mixed-use building. The development contemplates a total of 410 residential units. The 36-storey tower was positioned on the 1.4 acre site at Marine Parade Drive and will offer future residents magnificent views



to Lake Ontario and downtown Toronto. The development applications were approved by Council in April 2010 and WCGI is now coordinating the preparation of the site plan application. This project represents the next chapter in the transformation of this community and will be a landmark development along Toronto's waterfront.

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Images from Page + Steele / IBI Group Architects, September 3, 2009.



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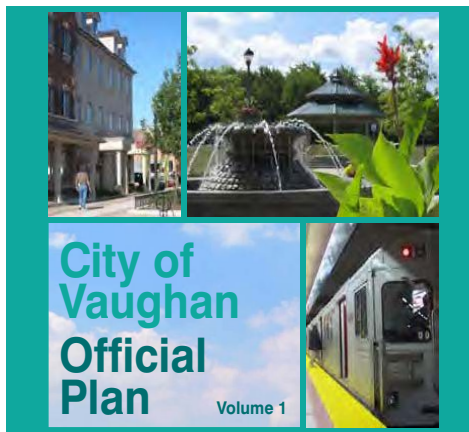
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## City of Vaughan Official Plan

The City of Vaughan is on track to adopt its new **Official Plan** on Tuesday, September 7, 2010. Following adoption, the new official plan will be forwarded to the **Region of York** for approval. Once the Region issues its "notice of approval", dissatisfied landowners and ratepayers will be in a position to submit formal appeals. It is expected that many site-specific appeals will be capable of resolution through a settlement negotiation process, rather than proceeding to a full hearing by the Ontario Municipal Board.



Until the new Official Plan is approved, the City intends to apply both the existing and the new Official Plan to development applications that are submitted during this interim period.

The new Official Plan is divided into two parts: Volume 1, which contains general City-wide policies; and Volume 2, which contains policies for specific areas or sites.

Upon full approval of the new Official Plan, Vaughan's confusing array of existing official plan documents will finally be consigned to the dustbin, except for certain secondary plans which will be incorporated into Volume 2, and which will be deemed to prevail over the general policies contained in Volume 1. Existing Official Plan policies will still apply on an interim basis to places of worship which will be brought back to Council after further study.

The focus of the new Official Plan for future growth is on intensification within the existing built-up area, as mandated by the Region's new Official Plan and the **Growth Plan for the Greater Golden Horseshoe**. As a result the new Official Plan contains relatively modest greenfield urban boundary expansions: Block 27 (Jane/Kirby/Keele/Teston) and Block 41 (Pine Valley/Kirby/Weston/Teston). Other "whitebelt" areas, i.e. non-Greenbelt areas outside the urban boundary, will remain as rural areas pending future planning reviews.

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## Oakville Official Plan - an Overview

The review of an Official Plan is a major planning initiative and, when combined with the preparation of a new Official Plan, it becomes a momentous task with significant implications. More than any other decision, the approval of the final Official Plan document will be the determining factor shaping the municipality - often for several decades.

This describes what **Oakville** has been undertaking for the past three years. The Plan, known as "**Livable Oakville**", was adopted by Oakville Council on June 22, 2009. This was after numerous submissions to Council noting concerns with the Plan. The adopted Plan was reviewed by the **Region of Halton** and on November 30, 2009, was approved by the Region with 211 modifications.

There were 56 appeals to the Official Plan. This has now been reduced to 46 after a number of concerns were resolved. A pre-hearing conference was scheduled by the **OMB** on May 26, 2010, at which the Board directed that an Issues List be prepared for each of the appeals and be submitted not later than August 16, 2010. The next step in completing the Livable Oakville Official plan is the second pre-hearing conference scheduled for October 4 and 5, 2010.

The Town of Oakville and the Region of

Halton are involved in an interesting procedural exercise. The **Province of Ontario** mandated both regional and local municipalities to bring their official plans into conformity with the **Growth Plan for the Greater Golden Horseshoe** within three years (meaning not later than June 2009). Of course local municipalities are required to conform to both the Growth Plan and the Halton Region plan - which means the regional plan needed to be completed first. To accommodate the Oakville time lines, the Region split their review process, known as Sustainable Halton, into two parts:

- **ROPA 37** is a textual amendment that satisfied the basic requirements of conformity with the Growth Plan. It includes 2031 population and employment allocations, intensification targets and development density targets. ROPA 37 was adopted on June 3, 2009 (in time for the June 22, 2010 adoption of Livable Oakville) and approved by the **Ministry of Municipal Affairs and Housing** on November 22, 2009 (in time for the November 30, 2009 approval of Livable Oakville).
- **ROPA 38** is the implementation of the comprehensive Official Plan review



process. It was adopted by the Region on December 16, 2009 and is still under review at the Ministry.

What makes this procedure most interesting is the timing of the Livable Oakville Plan adoption and approval by the Region, relative to the adoption of ROPA 38 - only 15 days apart. Because the Livable Oakville Plan was adopted at an earlier date, the contention is that it is only required to conform with ROPA 37 and not with the comprehensive Official Plan (ROPA 38) - even though the work on this Plan had virtually been completed.

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