

**CITY OF VAUGHAN
COMMITTEE OF THE WHOLE
ADDENDUM AGENDA**

**(NOTE: ADDENDUMS WILL REQUIRE A TWO-THIRDS VOTE OF THE MEMBERS
PRESENT TO BE ADDED TO THE AGENDA)**

Tuesday, April 2, 2019

1:00 p.m.

Council Chamber

2nd Floor, Vaughan City Hall

2141 Major Mackenzie Drive

Vaughan, Ontario

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5. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION INCLUDING MEMBERS RESOLUTION(S)	
<u>Addendum Listing</u>	
14. <i>APPOINTMENT OF DEPUTY CITY CLERK</i> Report of the Deputy City Manager, Corporate Services with respect to the above.	2
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15. <i>PROPOSED AMENDMENT 1 TO THE GROWTH PLAN (2017)</i> Report of the Deputy City Manager, Planning and Growth Management with respect to the above.	5

Committee of the Whole Report

DATE: Tuesday, April 02, 2019

WARD(S): ALL

TITLE: APPOINTMENT OF DEPUTY CITY CLERK

FROM:

Nick Spensieri, Deputy City Manager, Corporate Services

ACTION: DECISION

Purpose

To authorize the enactment of a by-law to appoint a Deputy City Clerk.

Report Highlights

- Both the City Clerk and Deputy City Clerk serve important statutory roles
- Appointment of a Deputy City Clerk supports a culture of excellence in governance
- Recruitment process for a Deputy City Clerk has been completed

Recommendations

1. That a by-law be enacted to appoint the successful candidate set out in confidential attachment '1' as Deputy City Clerk, effective May 6, 2019.

Background

The City Clerk is a statutory role required by the *Municipal Act, 2001*. The *Municipal Act* also allows for the appointment of a Deputy City Clerk who has all the powers and duties of the Clerk.

Previous Reports/Authority

Not applicable.

Analysis and Options

As a result of the retirement of the City Clerk, Barbara A. McEwan, and the appointment of Todd Coles as City Clerk, on April 11, 2018, an Acting Deputy City Clerk, Rose Magnifico, was appointed on March 20, 2018.

A decision to post-pone the recruitment process for a full-time Deputy City Clerk was made due to the 2018 Municipal Elections and the anticipated impact that would have on the availability of qualified candidates. A recruitment process was undertaken in early 2019 for a new Deputy City Clerk and that process has now been completed.

The *Municipal Act* permits a municipality to appoint a Deputy Clerk “who have all the powers and duties of the clerk under this and any other Act” [Section 228(2)]. Those powers and duties include, in accordance with Section 228 of the *Municipal Act*:

- “(a) to record, without note or comment, all resolutions, decisions and other proceedings of the council;
- (b) if required by any member present at a vote, to record the name and vote of every member voting on any matter or question;
- (c) to keep the originals or copies of all by-laws and of all minutes of the proceedings of the council;
- (d) to perform the other duties required under this Act or under any other Act; and
- (e) to perform such other duties as are assigned by the municipality. 2001, c. 25, s. 228 (1).”

The appointment of a Deputy City Clerk supports a culture of excellence in governance. Formal notice of the appointment will be provided to the Registrar General for the Province of Ontario so that the Deputy City Clerk can be appointed Deputy Division Registrar. In addition, relevant municipal associations will be advised of the appointment.

Financial Impact

Any costs associated with the appointment of a Deputy City Clerk will be within the approved budget.

Broader Regional Impacts/Considerations

Not applicable.

Conclusion

The elements of the recruitment process now having been completed, it is appropriate that a by-law be enacted to appoint the successful candidate set out in confidential attachment '1' as Deputy City Clerk.

For more information, please contact: Todd Coles, City Clerk, ext. 8281

Attachments

1. Confidential Attachment '1' - Appointment of Deputy City Clerk

Prepared by

Todd Coles, City Clerk, ext. 8281

Committee of the Whole Report

DATE: Tuesday, April 02, 2019

WARD(S): ALL

TITLE: PROPOSED AMENDMENT 1 TO THE GROWTH PLAN (2017)

FROM:

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

ACTION: DECISION

Purpose

To advise Council of the Ontario government's proposed amendments to the Provincial Growth Plan for the Greater Golden Horseshoe (2017); to update the originating March 19, 2019 report to Council to allow for the consideration of the recent actions of York Region Council; and to obtain Council's endorsement on comments to be submitted in response to the Environmental Registry of Ontario (ERO) posting of the proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, subject to any further comment that Council may provide.

Report Highlights

- The Province has proposed amendments to the Growth Plan (2017)
- The proposed amendments have a potential impact on major elements of the municipal planning system in the Greater Golden Horseshoe, including the Region's Municipal Comprehensive Review and the City's Official Plan Review
- Regional Council passed resolutions recommending to the Province that the intensification density target in the Growth Plan be lowered to 50%, that the density target for the designated greenfield area be lowered to 50 people and jobs per hectare and that the Highway 400 North Employment Lands in Vaughan not be identified as a Provincially Significant Employment Zone in the Growth Plan and that the current level of employment land protection in the upper-tier official plans be maintained

Recommendations

1. THAT the comments and recommendations contained in the staff report entitled “Proposed Amendment 1 to the Growth Plan” (March 19, 2019 Council Agenda, forming Attachment No. 1 to this report) be endorsed as the City’s comments on the proposed amendment to the Provincial Growth Plan for the Greater Golden Horseshoe (2017), subject to the superseding modifications set out in 2 below;
2. THAT should Council wish to support the York Region modifications, the Province be requested to implement the following modifications to Amendment No. 1 to the Provincial Growth Plan:
 - a) Reduce the intensification target in York Region from 60% to 50%;
 - b) Continue to exclude the Provincially Significant Employment Zone (PSEZ) designation in the City of Vaughan along the Highway 400 Corridor, from approximately Major Mackenzie Drive to the King-Vaughan border and that the current levels of protection in the 2017 Growth Plan with respect to upper tier official plans should be maintained including the prohibition of institutional and sensitive land uses in employment areas that would have qualified as Prime Employment Areas; thereby continuing to afford the protection of employment lands while allowing for the potential consideration of any future conversion requests.
 - c) If PSEZs are included in the Growth Plan, that prior to recommending mapping changes, Regional and City staff be provided the opportunity for further discussion with Provincial staff regarding the criteria for selection of the mapped employment areas, the intent and use of the PSEZ, and the refinement to the mapping to reflect local planning considerations;
 - d) Reduce the targeted minimum density in the Designated Greenfield Areas to 50 residents and jobs per hectare from 60 residents and jobs per hectare.
3. THAT this report be forwarded by the City Clerk to the Province, the Region of York and the Members of Provincial Parliament representing the City of Vaughan as the City’s comments on the proposed Amendment No. 1 to the Provincial Growth Plan; and
4. THAT Council shall ratify the actions taken.

Background

On March 19, 2019, Council had before it a report entitled “Proposed Amendment 1 to the Provincial Growth Plan”. The purpose of the item was to put forward a potential City-response to the Environmental Registry of Ontario (ERO) posting regarding Amendment No. 1 to the Provincial Growth Plan. At that time Council referred the item to the April 2, 2019 Committee of the Whole meeting. This report updates the March 19, 2019 report to allow for the consideration of additional information emerging from the actions of York Region Council.

Recent Action of York Region Council on Amendment No. 1 to the Growth Plan

On February 28, 2019 Regional Council considered a staff report entitled, “Comments on Proposed Amendment 1 to the Growth Plan”. At that meeting Regional Council identified a number of modification requests, including a resolution asking the Province to reduce the intensification target for York Region from 60% to 50% within the Delineated Built-up Area.

At its meeting on March 21, 2019 Regional Council reconsidered its previous actions on Amendment No. 1 and articulated additional positions relating to other matters. The Regional Council minutes from March 21, 2019 form Attachment No. 2 to this report. Regional Council continued to endorse the earlier report (Regional Council – February 28, 2019), including its Attachments 1 and 2, and actions in response the four postings on the Environmental Registry of Ontario (ERO), with additional requests for modifications. The major changes include recommendations that the Province:

- Reduce the intensification target in York Region from 60% to 50%;
- Not include the Provincially Significant Employment Zones (PSEZ) in the Growth Plan for the City of Markham and along the 400 corridor from approximately Major Mackenzie Drive to the King-Vaughan border (as shown on Attachment 2, page 3 of the Region’s original submission) for the City of Vaughan, the current levels of protection in the 2017 Growth Plan, with respect to upper tier official plans should be maintained including the prohibition of institutional and sensitive land uses in employment areas that would have qualified as Prime Employment Areas;
- If PSEZs are included in the Growth Plan, that prior to providing recommendations on mapping changes, Regional staff be provided the opportunity for further discussion with Provincial staff regarding the criteria for selection of the mapped employment areas, the intent and use of the PSEZ, and the refinement to the mapping to reflect local planning considerations;
- The reduction of the targeted minimum density in York Region’s Designated Greenfield Areas to 50 residents and jobs per hectare from 60 residents and jobs per hectare.

Consideration of the Region’s updated recommendations to the Province, in establishing the City’s position on the proposed Amendment No. 1 to the Growth Plan, is appropriate and any comments to the Province should reflect this analysis.

Previous Reports/Authority

The previous report addressing this matter forms Attachment 1 to this report and can be found at the following link;

[Council Report entitled Proposed Amendment 1 to the Growth Plan \(2017\), dated March 19, 2019.](#)

Analysis and Options

Implications for the City of Vaughan

Changes to the Intensification Target and Designated Greenfield Area densities may affect how and where the City grows

The impact on the City of Vaughan of the reduction of the Intensification target from 60% to 50% within the delineated built-up area (annually by the time the next Municipal Comprehensive Review is approved and in effect) and the reduction of the targeted minimum density in the Designated Greenfield Areas to 50 residents and jobs per hectare from 60 residents and jobs per hectare cannot be definitively determined at this time. These parameters are applied Region-wide and their implications can only be assessed through the Land Budget being prepared by the Region through its MCR. The resulting product would be the allocation of population to each local municipality and an individual intensification target and potentially a minimum density assignment.

Both measures would represent a decrease in development density throughout the Region's urban areas. Preliminary indications are that there is sufficient capacity in the existing Intensification Areas within Vaughan's current Settlement Area to accommodate the potential population growth to 2041. However, if it is determined that the Settlement Areas are to be expanded, based on fulfilling the criteria set out in the Growth Plan, the location of the expansion areas would be determined through the Region's MCR, subject to criteria specified in the Growth Plan. City staff will need to participate in and comment on the development of the land budget and the assessment of boundary expansion alternatives, as these exercises will play an important role in shaping the future of the City.

City staff are satisfied that it is possible to effectively plan for scenarios involving Settlement Area boundary expansions or alternatively, maintaining the current boundaries and relying on intensification to meet the projected 2041 population. However, each presents a different set of challenges. Major considerations would include the environmental impacts, the implications for transportation/transit, housing mix, the creation of complete communities, effects on hard and soft infrastructure and population and population distribution. Notwithstanding the outcome, the City would respond through the Growth Management Strategy update and the Official Plan Review.

The preservation of the City's Employment Lands should continue to be prioritized

The resolution of Regional Council requests that Provincially Significant Employment Zones not be designated in Markham or along the 400 corridor from approximately

Major Mackenzie Drive to the King-Vaughan border (area specifically defined in Attachment 2, page 3 of the Region's original submission) in the City of Vaughan, with the caveat that the current level of protections in the 2017 Growth Plan be maintained, including the prohibition of institutional and sensitive land uses in areas that would have qualified as Prime Employment Areas. This resolution continues to protect employment lands while allowing for the potential consideration of any future conversion requests.

The affected area in Vaughan encompasses the City's Employment Areas extending from Major Mackenzie Drive to the King-Vaughan border and includes the Highway 400 North Employment Area and the employment uses located between Cityview Blvd and Highway 400. These areas were excluded from the PSEZ designation in the draft Regulation and the Region's action supports their continued exclusion.

The Employment Land protections in the 2017 Growth Plan currently rely on the Municipal Comprehensive Review to assess potential Employment Land conversions. Of particular concern is the potential effect of residential uses being introduced into Employment Areas. In these cases, there is the need for a full review of the need for the residential use, the impacts on the employment area (compatibility), the resulting quality of the residential environment and the impact on the local and regional land budget.

In addition, questions of precedent, prematurity and prejudice respecting the degree the conversion may constrain future public and private sector actions should also be taken into consideration. Typically, this is best undertaken through the Municipal Comprehensive Review, in the context of the Growth Plan's conversion criteria. It is noted that the Region has received 17 Land Use Conversion requests for the City of Vaughan, which are currently being reviewed through the Region's current Municipal Comprehensive Review. This includes requests for conversions in the Vaughan 400 North Employment Area. In some cases the conversion request seeks to convert only a portion of the lands subject to the request. This work is under way and the Region is still accepting proposals for Employment Land Conversions.

In this context staff have no objection to this modification.

Financial Impact

There are no direct financial implications resulting from this report.

Conclusion

Staff have reviewed the proposed amendments to the Provincial Growth Plan (2017) and the comments emerging from the actions of York Region Council on March 21, 2019, which include the following substantial recommendations:

- Requesting a reduction in the intensification target in York Region from 60% to 50%;

- requesting a reduction of the targeted minimum density in York Region's Designated Greenfield Areas to 50 residents and jobs per hectare from 60 residents and jobs per hectare; and
- requesting that the PSEZ designation in the City of Vaughan along the Highway 400 Corridor, from approximately Major Mackenzie Drive to the King-Vaughan border continue to be excluded and that the current levels of protection in the 2017 Growth Plan with respect to upper tier official plans be maintained...

Staff is of the opinion that the major changes adopted by Regional Council identified above, can be accommodated through the consultation process that will take place through the Region's Municipal Comprehensive Review and the City's forthcoming Official Plan Review. Should Council wish to support the Region's position, it is recommended that the comments set out in the City's report to Council on March 19, 2019 (Attachment 1 hereto) be endorsed, subject to the superseding amendments originating at Regional Council and set out in the Recommendation section of this report. It is further recommended that this report be forwarded to the Province, the Region of York and the Members of Provincial Parliament representing the City. Finally, it should be noted that the final recommendation "That Council shall ratify the actions taken", was included so that the City's comments could be provided to the Province immediately, instead of waiting for the Committee's decision to be ratified in May; thereby potentially missing an opportunity to have the City's comments considered by the Province.

For more information, please contact: Fausto Filipetto, Manager of Long-Range Planning, ext. 8699.

Attachments

1. Council Report titled Proposed Amendment 1 to Growth Plan (2017), dated March 19, 2019
2. Minutes of York Region Council, Item J.2, March 21, 2019 "Comments on Proposed Amendment 1 to the Growth Plan"

Prepared by

Fausto Filipetto, Manager of Long-Range Planning, ext. 8699

Bill Kiru, Director of Policy Planning and Environmental Sustainability, ext. 8633



Council Report

DATE: Tuesday, March 19, 2019

WARD(S): ALL

TITLE: PROPOSED AMENDMENT 1 TO THE GROWTH PLAN (2017)

FROM:

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

ACTION: DECISION

Purpose

To advise Council of the Ontario government's proposed amendments to the Growth Plan (2017) and advise of the potential implications for the City of Vaughan; and to obtain Council's endorsement of this report and the attached comments and recommendations, subject to any further comment that Council deems appropriate, to augment earlier staff input to the Province.

Report Highlights

- The Province has proposed amendments to the Growth Plan (2017)
- The proposed amendments have a potential impact on major elements of the municipal planning system in the Greater Golden Horseshoe, including the Region's Municipal Comprehensive Review and the City's Official Plan Review
- City staff will continue to meet with Provincial representatives to provide input on the proposed changes to the Growth Plan (2017)

Recommendations

1. THAT the comments and recommendations provided herein be endorsed as the City's response to the proposed Amendment No. 1 to the Provincial Growth Plan and the associated changes in regulation posted on the Ontario Environmental Registry, subject to any additional comments that Council may wish to include; and
2. THAT the City Clerk circulate this report to the Regional Municipality of York Chair, Chief Administrative Officer and Chief Planner and the Members of the Provincial Parliament representing the City of Vaughan for information.

Background

In the Autumn of 2018, the Ministry of Municipal Affairs undertook a stakeholder consultation process to consider changes to the Provincial Growth Plan for the Greater Golden Horseshoe (Growth Plan) (2017). A series of technical working groups, with representatives of the municipal and development sectors, were held to discuss implementation issues associated with the new Growth Plan (2017); and to develop solutions to the implementation challenges. Sessions were also held with representatives from other sectors including, the business, development, environmental and the research sectors. This resulted in a series of recommended changes to the Growth Plan (2017).

Request for Comment on the Proposed Changes

The proposed changes to the Growth Plan (2017) were posted on the Environmental Registry of Ontario (ERO) on January 15, 2019 with a submission date of February 28, 2019. Growth Plan (2017) changes were covered under four separate postings:

- **ERO Number 013-4504:** Proposed Amendment to the Growth Plan (2017) for the Greater Golden Horseshoe (2017)
- **ERO Number 013-4505:** Proposed Modification to Ontario Regulation 311/06 (Transitional Matters – Growth Plans)
- **ERO Number 0-13-4506:** Proposed Framework for Provincially Significant Employment Zones
- **ERO Number 0-13-4507:** Proposed Modifications to Ontario Regulation 525/97 (Exemption from Approval – Official Plan Amendments)

The postings provide a commenting window of 45 calendar days for the Growth Plan (2017) amendments and related matters.

The Stated Intent of the Changes to the Growth Plan (2017)

In the ERO posting the Ministry of Municipal Affairs indicated that the proposed changes are intended to address potential barriers to increasing the supply of housing, creating jobs and attracting investments. Specific changes are to have the following results:

- **Employment Planning:** A modernized employment area designation system that ensures lands used for employment are appropriately protected while unlocking land for residential development
- **Settlement Area Boundary Expansions:** A system that enables local municipal decisions on reasonable changes to settlement area boundaries in a timely manner to unlock land faster for residential and commercial development that supports more jobs and housing
- **Agricultural and Natural Heritage Systems:** Provide Greater Golden Horseshoe regional mapping systems that are factual and reflect the local mapping realities, while providing for the appropriate level of protections for our

natural resources and continuing to build on the economic viability of our agri-food industry

- **Intensification and Density Requirements:** Provide a simplified approach to minimum intensification and density targets that reflects the objectives of supporting provincial transit investments, the planned growth rates and local realities of different communities, including market demand for housing. The application of different levels of targets recognizes that “one-size does not fit all” and makes it easier to understand and measure the impacts of growth in the region
- **Major Transit Station Areas:** A streamlined approach that enables the determination of major transit station areas to happen faster so that zoning and development can occur sooner

Previous Reports/Authority

N/A

Analysis and Options

Overview

Amendment 1 to the Growth Plan (2017) expands opportunities for changing significant policies and procedures of the Growth Plan through processes proposed in the new Amendment. Such changes would be undertaken outside of a Municipal Comprehensive Review (the “MCR”), which would ultimately be reflected in the municipal official plans. One of the fundamental principles of the Growth Plan is that the lower-tier municipal plans are to be based on a thorough Municipal Comprehensive Review undertaken by the upper tier, which would be further articulated through the lower tier Official Plan Review.

These proposed changes have the potential to compromise the intent of the Growth Plan, which was approved in July 2017. The following areas may be impacted:

1. The density and intensification targets are subject to proposed policies that would permit changes to be made outside an MCR process, including:
 - a. Region-wide Intensification (within the delineated built-up area, the “DBA”) targets,
 - b. Designated Greenfield Area (the “DGA”) targets, and
 - c. Major Transit Station Area (the “MTSA”) targets.
2. Settlement Area Boundary Expansions, boundary adjustments, and employment land conversions are proposed to be permitted outside a MCR, subject to criteria.

Allowing boundary changes, the conversion of employment land, and the changing of targets outside a Municipal Comprehensive Review may lead to ad hoc decision-making, weakening the plan and placing less reliance on the Municipal Comprehensive

Review, which needs to remain as the foundation for municipal growth management policy. There is a danger that this approach will lead to municipal Councils being presented with numerous and potentially competing proposals for changes under the proposed flexibility policies.

It is acknowledged that such flexibility may be helpful in dealing with minor changes that may be necessary to address a specific issue or take advantage of a unique opportunity. If such policies are to remain, there would need to be clearly defined processes to identify, evaluate and approve the proposed changes, if Amendment 1 were to be approved as is.

For example, if a land use conversion occurs outside of a MCR, must it be municipally initiated or is there an avenue for third party applications under the *Planning Act*? A level of certainty and clarity is needed. As such, the following should be made clear:

1. Who can initiate these processes? (i.e. the municipalities or are third parties allowed to apply for such changes?)
2. What is the process? (i.e. Will municipalities be allowed to identify process requirements for assessing such changes and how the upper and single-tier municipalities address the changes)
3. Can requests for conversions, changes in density requirements and boundary expansions be denied by municipalities without appeal?

The key point is that such changes should only be initiated by the lower tier or upper tier municipalities and be approved by the upper tier municipality (in this case York Region). The only avenue of appeal that should be available is to the Region/Province on the adoption of the implementing municipal official plan amendments.

Third party appeals should not be allowed for any failure of a municipality to adopt such a change or for their refusal to consider its adoption. These matters should not be appealable to the Local Planning Appeal Tribunal. These decisions should be left solely in the hands of the municipalities, in consultation with the Province. If third-party appeals are allowed, it could lead to numerous applications and hearings, which would divert scarce resources from plan implementation and result in lengthy and expensive hearing processes.

Applicability to the City of Vaughan in the Context of York Region

In evaluating the situation in the City of Vaughan, as one of the largest lower-tier municipalities in York Region, it should be noted that the City is already on its way to implementing the policy intent of the current Growth Plan (2017). Planning for growth to 2041 is underway and this is expected to continue even with the proposed amendments to the Growth Plan (2017). The following is pertinent to the current situation:

1. York Region is now undertaking its Municipal Comprehensive Review to plan for growth to 2041 under the Growth Plan (2017);
2. The City of Vaughan has finalized a Request for Proposal to retain consulting resources to undertake an Official Plan Review that will achieve conformity with the Region's 2041 MCR and the updated Regional Plan;
3. The City is still working to fulfill the policies of VOP 2010 (based on the 2006 Growth Plan) to plan for growth to 2031;
4. While supportive policies are already in place, (i.e. intensification areas and the planning for employment land and new communities) the delivery of development that implements these policies is faced with several long-term obstacles. These include:
 - A lack of sanitary sewage and water services
 - A planned transit system that is improving, but full implementation to support the planned level of development will not be achieved in the short-term
 - A backlog of development approvals that are currently subject to OMB/LPAT appeal processes
5. It will take years of infrastructure investment and the resolution of appeals to fulfill the intent of VOP 2010; and
6. This did not change with the approval of the current Growth Plan (2017), nor will it change with the approval of any of the amendments that are now under consideration.

In a global sense, the proposed amendments to the Growth Plan (2017) will have marginal impacts on the delivery of new development. The delivery of the necessary hard services is required to take advantage of the already planned inventory of development land.

With the Region moving forward with its MCR, there is no immediate need for proceeding with any boundary expansions, employment land conversions; or adjustments to density or intensification targets in advance of or outside the MCR. If flexibility is to be provided in the new policies, the processes will need to be confirmed and the decision-making should be left in the hands of the affected municipalities.

As such, in finalizing the Growth Plan under Amendment 1, which acknowledges that one size does not fit all, consideration should be given to measures that will support lower-tier decision making and the creation of municipal policies that are flexible, adaptable and opportunity driven, as the best means of fulfilling Provincial policy.

In addition to these larger issues, Attachment 1 provides Policy-Specific Comments on Proposed Amendment 1 to the Growth Plan (2017).

Financial Impact

There are no direct financial implications resulting from this report.

Conclusion

Staff have reviewed the proposed amendments to the Growth Plan (2017) and have prepared comments in this report for Council's review and endorsement.

The commentary provided in this report and Attachments 1 and 2 form the basis of the comments submitted in response to the ERO posting. As a general consideration, there is no real advantage, at this time, to the City in pursuing any process that would exist outside of the York Region Municipal Comprehensive Review. The Region and the City should stay the course on the respective MCR/Official Plan Review processes and incorporate any changes that may result from the amended Growth Plan (2017). This will ensure a continuing commitment to comprehensive planning to guide development in the Region and the City to 2041.

For more information, please contact: Kyle Fearon, Senior Planner, Long-Range Planning, ext. 8776 or Fausto Filippetto, Manager of Long-Range Planning, ext. 8699.

Attachments

1. Policy-Specific Comments on Proposed Amendment 1 to the Growth Plan (2017)
2. Recommended Modifications for Provincially Significant Employment Zones Mapping

Prepared by

Kyle Fearon, Senior Planner, ext. 8776

Fausto Filippetto, Manager of Long-Range Planning, ext. 8699

Bill Kiru, Director of Policy Planning and Environmental Sustainability, ext. 8633

Attachment 1

Policy-Specific Comments on Proposed Amendment 1 to the Growth Plan (2017) Organized by Chapter

1. **Context (2.1)**

Current Policy

The context section of the Growth Plan (2017) makes the case for why a Growth Plan (2017) is necessary to accommodate the rapid growth of the Greater Golden Horseshoe and address the myriad challenges it faces.

Proposed Changes

Several references to “urban sprawl” have been changed to “unmanaged growth”. It is also noted that greenhouse gas emissions targets have been reduced in paragraph four from “below 1990 levels by 37 per cent by 2030 and by 80 per cent by 2050” to “reduce greenhouse gas emissions by 30 per cent below 2005 levels by 2030.”

Further, it is noted that in paragraph eleven, a change has been made from “Communities need to grow at *transit-supportive* densities” to “Communities **in larger urban centres** need to grow at *transit-supportive* densities” (emphasis added).

2. **Delineated Built-up Areas (2.2.2)**

a. Current Policy

The Growth Plan (2017) requires a phased approach to minimum intensification targets for residential development within Provincially delineated built-up area boundaries.

The annual minimum intensification target of 40% will apply until the Region completes the next Municipal Comprehensive Review (MCR). After the next Municipal Comprehensive Review, a new minimum intensification target of 50% will apply across the Region until 2031. By 2031, a 60% intensification target will apply to 2041. Existing densities, as mandated by the in-effect Regional Official Plan, will continue to apply.

Proposed Change

The proposed amendment maintains the requirement that a minimum 60% of all residential development occurring annually in York Region be within the delineated built-up area. The target date for achieving this density has been changed from 2031 to “by the time the next Municipal Comprehensive Review is approved and in effect”. Until the next MCR is in effect the annual minimum intensification target contained in the upper tier official plan will continue to apply.

Comment

The City is well positioned to accommodate the proposed minimum intensification targets and has no objection to the minimum intensification targets proposed for York Region.

Recommendation

That the City advise the Province of its support for an increased intensification requirement, and that alternative targets should be requested at the time of a MCR.

b. Current Policy

Growth Plan (2017) policy 2.2.2.4.a states that all municipalities will “encourage intensification generally to achieve the desired urban structure”.

Proposed Change

Amendment 1 proposes to delete this policy and replace it with: “encourage intensification generally throughout the delineated built-up area.” This reflects the language used in the 2006 Growth Plan (proposed policy 2.2.2.3.c).

Comment

The City, among others, requested that the 2006 language be replaced as it was used to undermine the allocation of densities on the basis of well-defined intensification areas.

The current policy encourages intensification to achieve the urban structure of each municipality, which is generally supported by transit and other infrastructure. The proposed change encourages intensification throughout the built-up area. Municipalities have spent considerable time and resources consulting with the public and developing plans that direct growth to meet the Provinces population and employment targets. The proposed changes may potentially rationalize intensification proposals in stable neighbourhoods.

Recommendation

It is recommended that policy 2.2.2.4.a be maintained.

c. Current Policy

When upper/single tier Councils consider an alternative minimum intensification target, it is required to occur through a Municipal Comprehensive Review and demonstrate that the alternative target will (policy 2.2.2.5):

- maintain or improve the existing minimum intensification target
- account for infrastructure, public service facilities, capital planning
- consider the actual intensification rate being achieved
- support the achievement of complete communities

Proposed Change

The proposed amendment removes the requirement that alternative targets be determined through a MCR, and removes the criteria (mentioned above) that the alternative target would be subject to.

Comment

An alternative target should be requested during a MCR. This would take advantage of the full analysis that takes place during the MCR to determine what level of intensification is achievable.

Recommendation

It is recommended that alternative targets only be requested at the time of a MCR to take advantage of the growth management and forecasting work that takes place during a MCR.

d. Current Policy

The Growth Plan (2017) requires that municipalities “identify the appropriate type and scale of development and transition of built-form to adjacent areas” as part of their strategy to achieve the minimum intensification targets (policy 2.2.2.4.b).

Proposed Change

The proposed change modifies the policy to only refer to Strategic Growth Areas (SGA’s) “identify the appropriate type and scale of development in **strategic growth areas** and transition of built form to adjacent areas”.

Comment

The proposed change limits municipalities identification of the appropriate type and scale of development and transition of built form to SGA’s and their adjacent areas (proposed policy 2.2.2.3.c).

Recommendation

It is recommended that policy 2.2.2.4.b of the Growth Plan (2017) be maintained to encourage appropriate transition of built-form to adjacent areas from all intensification areas.

3. Transit Corridors and Station Areas (2.2.4)

Current Policy

The Growth Plan (2017) requires that municipalities delineate (single and upper tier) and set density targets (upper in consultation with lower tier) for MTSA’s through a MCR (policy 5.2.3.2.b and policy 5.2.5.3.c).

Proposed Change

Upper tier municipalities may delineate the MTSA boundaries and identify the minimum density requirements for the MTSA’s in accordance with SS. 16(16) of the *Planning Act*, in advance of the next MCR (proposed policy 2.2.4.5).

Comment

This process is already underway in coordination with Regional staff through the current MCR. The new provision would not likely result in a more expedited process.

Recommendation

It is recommended that the modification be supported.

4. Employment (2.2.5)

a. Current Policy

The conversion of lands within employment areas to more sensitive non-employment uses like residential or places of worship can only occur during a Municipal Comprehensive Review.

Proposed Change

A one-time window is proposed to allow for conversions take place “until the next Municipal Comprehensive Review”, subject to criteria (proposed policy 2.2.5.10).

Comment

A few things would need to be clarified:

- i. Who can initiate the process?
- ii. Are decisions appealable?
- iii. What is the process for considering conversions in advance of the next MCR?

Recommendation

It is recommended that guidance be provided on the ERO website so that municipalities have an opportunity to consider how the proposed policy change would be implemented.

b. Current Policy

The introduction of major retail into an employment area can only be considered through a Municipal Comprehensive Review (policy 2.2.5.9).

Proposed Change

To permit the introduction of major retail into employment lands until the next Municipal Comprehensive Review (proposed amendment to policy 2.2.5.11).

Comment

The proposed policy permits the introduction of major retail into employment areas outside of a Municipal Comprehensive Review.

Recommendation

It is recommended that policy 2.2.5.9 of the Growth Plan (2017) be maintained.

5. Designated Greenfield Areas (2.2.7)

a. Current Policy

Designated Greenfield Areas are lands within settlement areas located outside of the delineated built-up areas (that have been designated in an Official Plan for

development), which are required to accommodate forecasted growth to the horizon of the Growth Plan (2017).

Under the Growth Plan (2006), the DGA density target was 50 people and jobs combined per hectare. Under the Growth Plan (2017), the existing DGA is subject to a density target of 60 people and jobs combined per hectare (policy 2.2.7.4).

Until the next Municipal Comprehensive Review, the density target in the Official Plan of the upper-tier municipality will continue to apply (policy 2.2.7.4). For example, this includes Blocks 27 and 41, which have a density target of 70 people and jobs combined per hectare.

New DGA's (added through an urban expansion, if required) are required to achieve a minimum density target of 80 people and jobs combined per hectare.

Proposed Change

To lower the minimum density requirement for newly added DGAs in York to 60 residents and jobs per ha (proposed amendment to policy 2.2.7.2).

Comment

Vaughan's New Community Areas (Blocks 27 and 41) are already planned with density targets of 70 people and jobs combined per hectare.

Recommendation

Staff recommend including a policy that requires any alternative intensification target to be higher than historic intensification levels.

b. Current Policy

Councils may request an alternative target for newly added DGAs through a MCR, subject to criteria so that the alternative target will:

- not be less than the minimum density target in the official plan that is approved and in effect
- reflect documented actions taken to increase planned densities in accordance with policy 2.2.7.4 a) ii)
- achieve a more compact built form that supports existing or planned transit and active transportation to the horizon of this Plan
- account for existing and planned infrastructure, public service facilities, and capital planning
- account for lands built and planning matters that are approved and in effect
- support the diversification of the total range and mix of housing options in designated greenfield areas to the horizon of this Plan, while considering the community character
- support the achievement of complete communities

Proposed Change

A new policy which allows Councils of upper and single tier municipalities to request an alternative DGA target where it is demonstrated that the target cannot be achieved

and that the alternative target will support the diversification of the range and mix of housing options, and the achievement of a more compact built form in designated greenfield areas in a manner that is “appropriate given the characteristics of the municipality and adjacent communities” (proposed policy 2.2.7.4).

Comment

The proposed change removes a requirement that Councils request alternative targets through a Municipal Comprehensive Review and removes criteria to ensure a minimum density target in effect as of July 1, 2017 is maintained in absence of a new minimum. These changes do not address the primary challenge for development in these areas: a lack of servicing.

Recommendation

It is recommended that consideration of alternative targets by upper and single tier municipalities only occur through a MCR. Staff also recommend a requirement that any alternative intensification target be higher than historic intensification levels.

6. Settlement Area Boundary Expansions (2.2.8)

a. Current Policy

Settlement area boundary expansions may only occur through a Municipal Comprehensive Review.

Proposed Change

A new policy has been proposed that would allow municipalities to adjust settlement area boundaries outside of a Municipal Comprehensive Review (proposed policy 2.2.8.4).

Comment

The proposed policy would allow settlement boundary adjustments to occur outside a Municipal Comprehensive Review process. The land needs assessment undertaken through an MCR is the tool for determining whether there is a need for additional land to accommodate growth that can't be accommodated through intensification or development in designated greenfield areas.

Recommendation

It is recommended settlement area boundary expansions only be requested at the time of a MCR to take advantage of the growth management and forecasting work that takes place during the MCR. It is recommended that proposed policy 2.2.8.4 be removed.

b. Current Policy

Settlement area boundary expansions may only occur through a Municipal Comprehensive Review.

Proposed Change

A new policy has been proposed that would allow for a settlement area boundary expansion to occur in advance of a Municipal Comprehensive Review (proposed policy 2.2.8.5), provided the amount of land to be added to the settlement area will be no larger than 40 hectares (proposed policy 2.2.8.6).

Comment

The proposed policy would allow settlement boundary expansions to occur outside a Municipal Comprehensive Review. The land needs assessment undertaken through a MCR is the tool for determining whether there is a need for additional land that can't be accommodated through intensification or development in the DGA's.

It is not clear how changes to the land budget would be addressed in this process, and who would undertake the substantial work of updating the regional land budget, which is guided by a Provincially mandated methodology as set out in policy 2.2.1.5.

Proposed policy 2.2.8.5.e acknowledges this challenge, stating, "the additional lands and associated forecasted growth will be fully accounted for in the land needs assessment associated with the next *Municipal Comprehensive Review*." The proposed policy suggests that Provincial growth targets would not be considered when changes to the urban boundary are proposed, and could be addressed after the boundary had been changed.

In addition, it is not clear whether the additional 40 hectares of lands is meant to be the total amount of land to be expanded across the upper/single tier, or is meant to apply to individual boundary expansions. It is recommended that if used, this number represent a region-wide cap on the amount of additional land that would be considered outside an MCR.

Recommendation

It is recommended that settlement area boundary expansions only occur through a Municipal Comprehensive Review and that proposed policy 2.2.8.5 be removed. If kept, it is recommended that this only occur if municipally initiated by an upper or single tier municipality.

7. Integrated Planning (3.2.1)

Current Policy

The Growth Plan (2017) requires planning for new or expanded infrastructure to occur in an integrated manner, supported by infrastructure master plans, asset management plans, community energy plans, watershed planning, and environmental assessments (policy 3.2.1.2).

Proposed Change

That policy 3.2.1.2 be amended to state that planning for new or expanded infrastructure will occur in an integrated manner, including environmental planning (added). Reference to specific studies (infrastructure master plans, asset

management plans, community energy plans, watershed planning, environmental assessments) was removed and replaced with “environmental planning”.

Comment

It is not clear what the purpose of removing the previously mentioned references is.

Recommendation

Request Provincial staff to clarify the intent of this change.

8. Water and Wastewater Systems /Stormwater Management (3.2.6 - 3.2.7)

Current Policy

Policies that direct how planning of water, wastewater, and stormwater systems are planned are informed by watershed planning.

Proposed Change

The phrase “or equivalent” has been added in instances when referring to watershed planning and a stormwater master plan.

Comment

It is not clear what “equivalent” is meant to refer to.

Recommendation

Request Provincial staff to clarify the intent of this additional language.

9. Protecting What is Valuable – Context (4)

Current Policy

The preamble of this section currently includes the statement “The Province will work with municipalities to develop approaches to inventory, reduce, and offset greenhouse gas emissions in support of provincial targets as we move towards the long-term goal of net-zero communities.”

Proposed Change

The preamble is proposed to be amended by deleting “the long-term goal of net-zero” and replacing it with “environmentally sustainable”.

Comment

The most recent analysis of the Intergovernmental Panel on Climate Change and the UN Emissions Gap Report 2018 clearly articulates a goal of low carbon communities by 2050 to avoid dangerous climate change.

Recommendation

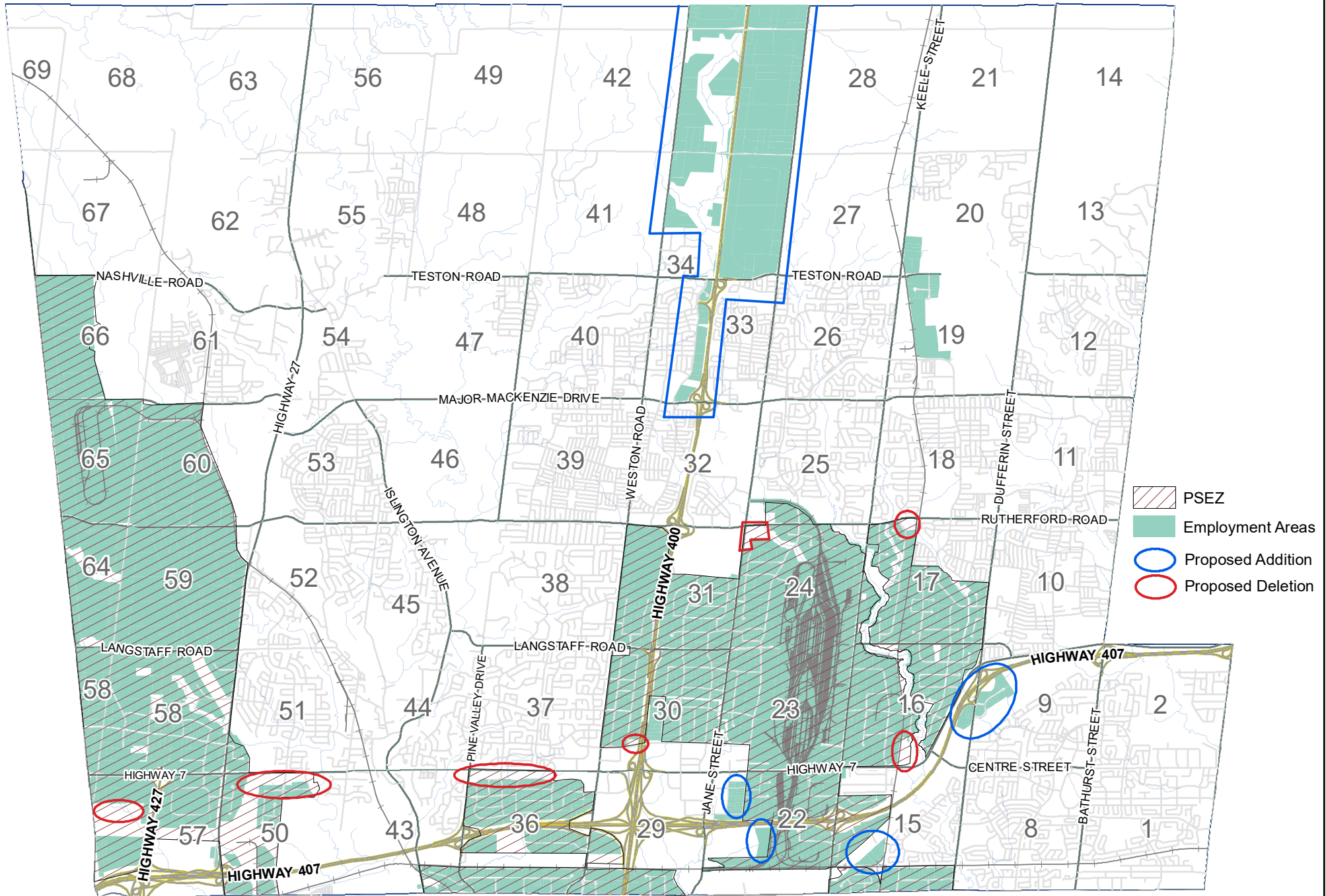
It is recommended that the Province retain the original Growth Plan (2017) wording.

ERO # 013 – 4506**Proposed Framework for Provincially Significant Employment Zones**

Mapping of the proposed Provincially Significant Employment Zones (PSEZ) was distributed by the Province for review and comment. Lands within a PSEZ would not have the ability to be converted to a non-employment use outside of a MCR. The proposed mapping did not include the Highway 400 North Employment Lands and a number of other significant employment areas. Staff are recommending that these lands be identified as a PSEZ, as this area will have significant employment and economic output and needs to be protected. Furthermore, other areas along the Highway 407 corridor were not identified as PSEZ. Staff are also recommending that these lands be included in the PSEZ mapping. These proposed recommendations are illustrated on the attached map.

The attached mapping also includes areas recommended for removal from the PSEZ based on non-employment land use designations.

Attachment 2 Recommended Modifications for Provincially Significant Employment Zones Mapping



J.2 Comments on Proposed Amendment 1 to the Growth Plan

Moved by Regional Councillor Hamilton

Seconded by Regional Councillor Jackson

That Council reconsider this matter, which was originally dispensed with at the February 28, 2019 Regional Council meeting.

Carried on a 2/3 majority vote.

Carried

Moved by Regional Councillor Hamilton

Seconded by Regional Councillor Jackson

Whereas, Regional Council adopted comments to forward to the Province regarding 'Proposed Amendment 1 to the Growth Plan' at its Regional Council meeting on February 28, 2019, and

Whereas, Regional Council directed staff to bring forward any additional comments for consideration at its Committee of the Whole meeting on March 7th, 2019:

Therefore be it resolved that:

1. The Regional Municipality of York make additional comment to the Government of Ontario to amend the proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe as follows:
2. Amend proposed policy 2.2.7.2 to set the minimum density target for York Region's designated greenfield area to 50 residents and jobs per hectare.

Carried

Moved by Mayor Scarpitti

Seconded by Regional Councillor Jackson

1. Be it resolved that the Regional Municipality of York request that the provincial government not include provincially significant employment zones in the Growth Plan for the City of Markham and along the 400 corridor from approximately Major Mackenzie Drive to the King-Vaughan border (as shown on Attachment 2, page 3 of the Region's original submission) for the City of Vaughan, the current level of protections in the 2017 Growth Plan with respect to upper-tier official plans should be maintained, including the prohibition of institutional and sensitive land uses in employment areas that would have qualified as 'prime employment areas'.
2. That in the event provincially significant employment zones remain in the Growth Plan it is requested that, prior to providing recommendations on mapping changes, Regional staff be provided the opportunity for further discussion with Provincial staff regarding the criteria for selection of the mapped employment areas, the intent and use of the PSEZ, and refinement to the mapping to reflect local planning considerations.
3. And further, that if provincially significant employment zones are included in the Growth Plan, staff support the inclusion of provincially significant employment zones in MTSAs in principle; however, provincially significant employment zones are not supported within MTSAs in the Markham Centre Urban Growth Centre.
4. And further, that the Regional Municipality of York advise the provincial government that we have removed our request to designate the Future Employment Area in the City of Markham's 2014 Official Plan as a provincially significant employment area.

Carried

Moved by Mayor Lovatt

Seconded by Mayor Scarpitti

Whereas Highway 404 is one of the most significant pieces of infrastructure for people and major goods movement in York Region;

Whereas the lands along the Highway 404 corridor are highly valued for employment growth;

Whereas the majority of the undeveloped lands along Highway 404 are considered a buffer between key natural heritage features and settlement areas by the provincial plans;

Whereas freezing miles of land as a buffer to protect the natural heritage features in this area is not only unnecessary, but also a huge waste of municipal and provincial investment and economic development opportunities;

Whereas not all industrial developments are a threat to the environment;

Whereas the Town has a shortage of Industrial and Commercial assessment;

Whereas York Region has a very well-established and effective land use planning system that requires proposed industrial developments to undertake rigorous studies and thorough assessments to ensure there is no adverse environmental impact; and

Whereas the provincial review of the Growth Plan is a superb opportunity for York Region to identify new and attractive employment lands for growth and convert existing less desirable employment lands to other uses.

Therefore be it resolved

That Regional Council request the province to designate the lands on the east side of Highway 404 in the Town of Whitchurch-Stouffville, as identified in the attached map, Provincially Significant Employment Zone through Amendment #1 to the Growth Plan for the Greater Golden Horseshoe (2017).