

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 22, 2022

Item 2, Report No. 11, of the Committee of the Whole (Working Session), which was adopted, as amended, by the Council of the City of Vaughan on March 22, 2022, as follows:

By approving the recommendation contained in Communication C276, resolution from Councillor Alan Shefman and Councillor Marilyn Lafrate, dated March 8, 2022, as an amendment, to read as follows:

Whereas, the City of Vaughan recognizes the urgency of developing a comprehensive province-wide policy to address the urgent issue of affordability of housing;

Whereas, the City has embarked on developing its own policy on affordable housing;

Whereas, the City of Vaughan has an Official Plan that establishes a desired urban structure to guide its land uses throughout the city;

Whereas, the City undertakes regular reviews of its Official Plan, as required by the Planning Act, to ensure land use decisions are consistent with the Provincial Policy Statement and reflective of the community visions;

Whereas, the City's Official Plan encourages significant growth to the urban growth Centre, mobility hubs and major transit station areas to take advantage of mass transit services and protect the character of established residential areas;

Whereas, the City's Official Plan designates sufficient lands to meet its future growth needs based on provincial growth forecasts and serves as a critical policy document to coordinate between infrastructure and growth;

Whereas, the City's Official Plan is developed and updated based on technical studies and thorough extensive community and stakeholder consultations as required by the Planning Act;

Whereas, the province has established a Housing Affordability Task Force, without municipal representation, that has released 55 recommendations in its draft report on January 25, 2022, that could significantly impact land use planning at municipal level;

Whereas, there are many factors that can influence housing affordability, e.g. lack of Provincial infrastructure investment, immigration policy, backlog of cases at OLT, labour and material costs, income and inflation, as well as complex and sometimes conflicting Provincial policies; and

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Whereas, many of the recommendations of the Housing Affordability Task Force would result in both local planning decisions being fundamentally undermined and download the burdens of the housing crisis to municipalities and their residents to the point that the quality of life of our residents would be seriously threatened;

NOW THEREFORE BE IT RESOLVED:

- 1. That as a first step in the process of developing a policy on housing affordability, that a fulsome and comprehensive definition of “affordable housing” be developed in consultation with municipalities and other interested parties;**
- 2. That the City of Vaughan support all efforts at all levels of government to increase housing supply that is fair to both existing and future residents;**
- 3. That the City of Vaughan be fully committed to working with all levels of government to develop an effective strategy to provide affordable housing;**
- 4. That the City of Vaughan express its grave concerns to the local MPPs and the Province of Ontario about the Housing Affordability Task Force report for lack of municipal involvement and consultation; and**
- 5. That the Province of Ontario be requested to conduct, with all due haste, a thorough consultation with municipalities and appropriate interested parties prior to developing and releasing any policy based on the Housing Affordability Task Force recommendations; and**
- 6. BE IT FURTHER RESOLVED That a copy of this Motion and Communication C280 (attached), memorandum from the Deputy City Manager, Planning & Growth Management, dated March 15, 2022, be sent to the Honourable Doug Ford, Premier of Ontario, the Minister of Municipal Affairs and Housing, the Leader of the Opposition, the Leaders of the Liberal and Green Party, all MPPs in the Province of Ontario; the Large Urban Mayors’ Caucus of Ontario, the Small Urban GTHA Mayors and Regional Chairs of Ontario; and**
- 7. BE IT FINALLY RESOLVED That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for consideration.**

By approving the recommendation contained in Communication C285, resolution from Councillor Alan Shefman and Councillor Marilyn Iafrate, dated March 22, 2022, as follows:

Whereas Municipalities across this province collectively spend millions of dollars of taxpayer money and municipal resources developing Official Plans that meet current Provincial Planning Policy;

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Whereas an Official Plan is developed through extensive public consultation to ensure, “that future planning and development will meet the specific needs of (our) community”;

Whereas the Vaughan Official Plan includes provisions that encourage development of all forms of housing including the need for attainable housing in our community;

Whereas our Official Plan is ultimately approved by the province;

Whereas it is within the legislative purview of Municipal Council to approve Official Plan amendments or Zoning By-law changes that better the community or fit within the vision of the City of Vaughan Official Plan;

Whereas it is also within the legislative purview of Municipal Council to deny Official Plan amendments or Zoning By-law changes that do not better the community or do not fit within the vision of the City of Vaughan Official Plan;

Whereas municipal planning decisions may be appealed to the Ontario Land Tribunal (OLT; formerly the Ontario Municipal Board) an appointed body that is not accountable to the residents of Vaughan;

Whereas the OLT has the authority to make a final decision on planning matters based on a “best planning outcome” and not whether the proposed development is in compliance with municipal Official Plans or the needs of the community;

Whereas all decisions - save planning decisions - made by Municipal Council are only subject to appeal by judicial review and such appeals are limited to questions of law and or process;

Whereas Ontario is the only province in Canada that empowers a separate adjudicative tribunal to review and overrule local decisions applying provincially approved plans;

Whereas municipalities across this Province are forced to spend millions of dollars defending Official Plans that have already been approved by the province in expensive, time-consuming OLT hearings; and

Whereas lengthy and costly OLT hearings add years to the development approval process and acts as a barrier to municipal development; and

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NOW THEREFORE BE IT RESOLVED that the Government of Ontario be requested to immediately establish a comprehensive and wide-ranging process that includes the participation of municipalities and other interested parties, to determine an alternative land use planning appeals process to replace the OLT in order to establish a fair and efficient appeal process in Ontario; and

BE IT FURTHER RESOLVED that a copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, the Minister of Municipal Affairs and Housing, the Leader of the Opposition, the Leaders of the Liberal and Green Party, all MPPs in the Province of Ontario; the Large Urban Mayors' Caucus of Ontario, the Small Urban GTHA Mayors and Regional Chairs of Ontario; and

BE IT FINALLY RESOLVED that a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for consideration; and

By receiving the following Communications:

C149. Mario Marmora, South Maple Ratepayers Association, dated March 1, 2022; and

C280. Memorandum from the Deputy City Manager, Planning & Growth Management, dated March 15, 2022.

2. RESOLUTION SUPPORTING MUNICIPAL FINAL AUTHORITY FOR DEVELOPMENT PLANNING (REFERRED FROM FEBRUARY 15, 2022 COUNCIL MEETING)

The Committee of the Whole (Working Session) recommends:

- 1. That the recommendation contained in the following report of the Deputy City Manager, Legal and Administrative Services & City Solicitor, and Deputy City Manager, Planning and Growth Management, dated March 2, 2022, be approved;**
- 2. That in accordance with Communication C6., the recommendations contained in the resolution of Councillor lafrate and Councillor Shefman, dated February 8, 2022, be approved, subject to the following changes:**
 - 1. That Recommendation 1 be replaced with the following:**
 - 1. That the Government of Ontario be requested to immediately engage municipalities to determine**

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an alternative land use planning appeals process in order to dissolve the OLT and eliminate one of the most significant sources of red tape delaying the development of more attainable housing in Ontario;

3. That staff draft a response to the Report of the Ontario Housing Affordability Task Force, in the form of a resolution or letter, which outlines staff and Council's concerns with its recommendations, to be considered at the Council meeting of March 22, 2022;
4. That the staff presentation and Communication C7., presentation material, entitled *"Resolutions Supporting Municipal Final Authority for Development Planning"*, dated March 2, 2022, be received; and
5. That the following communications be received:
 - C2. Robert Kenedy, Mackenzie Ridge Ratepayers' Association, Georgia Crescent, Vaughan, dated February 28, 2022;
 - C3. Heidi Last, dated February 28, 2022;
 - C4. Catherine Lazaric, dated February 28, 2022; and
 - C5. Ron Moro, Tasha Court, Vaughan, dated March 1, 2022.

Recommendations

1. That Council receive this report for information.

DATE: March 15, 2022

TO: Mayor and Members of Council

FROM: Haiqing Xu, Deputy City Manager, Planning & Growth Management

RE: **COMMUNICATION – March 22, 2022, Council**

Item #2, Report #11, Committee of the Whole (WS)

**RESOLUTION SUPPORTING MUNICIPAL FINAL AUTHORITY
FOR DEVELOPMENT PLANNING**

Additional Staff Input on the Housing Affordability Task Force Report

Purpose

To provide further staff analyses/opinions in addition to the staff comments presented to Committee of the Whole Working Session on March 2, 2022, with respect to the recommendations contained within the Affordability Task Force report released on February 8, 2022.

Analysis

The Housing Crisis Has Complex Causes

Population growth, low supply of new homes, decreasing rental units, record low interest rate, increasing material and labour costs, and the general desire to live in or near the city can all be factors that may change the balance between housing supply and demand. Thus, a collective effort from all levels of government, as well as developers and communities, is needed to address the current housing crisis.

Municipalities have a significant role to play to help increase the supply of new homes through expediting planning approvals, infrastructure developments and issuance of building permits. In the meantime, municipalities also have the responsibility to protect community characters and ensure quality of living in existing communities.

Staff support all efforts to increase housing supply. Planning staff have been working closely with colleagues of other departments to explore in detail opportunities to streamline the development approval process and will be reporting to Council our findings and the progress of ongoing efforts next month. Through the process, we have discovered some other factors contributed to missed deadlines and slow processing, which include the province's own reply to circulations, timely input from required agencies and stakeholders and the quality of the initial applications and subsequent submissions. Staff believe the province should consider simplifying its own regulations,

delegating certain approval authorities, and leading by policy – no micromanaging municipalities - to help speed up development approval process, cut red tape, and get homes built quicker.

“As-of-right” Approvals Allow Intensification to Spread to Existing Communities

Staff are gravely concerned with the following recommended "as of right" developments and approvals:

- Up to four units and up to four storeys on a single residential lot;
- Secondary suites, multi-tenant housing, conversion of underutilized or redundant commercial properties to residential or mixed residential and commercial use;
- Zoning up to unlimited height and unlimited density in the immediate proximity of individual major transit stations within two years if municipal zoning remains insufficient to meet provincial density targets;
- Zoning of 6 to 11 storeys with no minimum parking requirements on any streets utilized by public transit (including streets on bus and streetcar routes).

These recommendations would lower design standard and allow intensification to spread to the existing neighbourhoods where there is no major infrastructure improvement to support such a growth. If implemented, municipal councils will no longer have the authority to decide on these developments, and instead they will receive all complaints about reduced quality of life, e.g. lowered water pressure, excessive street parking, and shadowed backyards.

Staff believe “as-of-right” permissions need to be fully and carefully re-assessed to ensure conformity, good planning, and the best interests of the public are protected. Limited site specific “as-of-right” approvals may be considered, but not a broad application as recommended.

Treating All Municipalities Homogeneously is not Good Planning

The City of Vaughan has convenient access to highways and passenger GO rail services. It is also the only municipality that has a TTC subway station outside the City of Toronto. Its preferred location together with major infrastructure improvements allows the City to plan and support significant intensifications in areas such as the Vaughan Metropolitan Centre, Yonge and Steeles area, and many Major Transit Station Areas. These developments have already contributed and will continue to significantly contribute to the housing supply and thus help ease the housing crisis.

What the City has been experiencing is not easily transferrable to another municipality. The recommended province-wide zoning standards or prohibitions by the task force would cause all municipalities to consider their land use regulations homogeneously, and limit their authorities to regulate minimum lot sizes, maximum building setbacks, minimum heights, angular planes, shadow rules, front doors, building depth, landscaping, floor space index, heritage view cones, and parking requirements based on planning merit and in accordance with their respective Official Plans.

Official Plan Authority Must be Protected

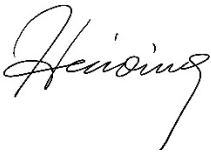
Official Plan is a very important local planning tool to establish the desired urban structure and land uses throughout the City. It is used to direct growth to urban growth centres, mobility hubs and major transit station areas while maintain and protect the character of established residential areas.

The City's Official Plan designates lands that are sufficient to meet future growth needs based on provincial growth forecasts. Also, it is a critical policy document that helps coordinate between infrastructure and growth. The City undertakes regular reviews of the Official Plan, as required by the *Planning Act*, to ensure land use decisions are consistent with the Provincial Policy Statement.

Staff believe the City's Official Plan, once update and approved, should not be subject to further appeals, so that its policies can be immediately translated to zoning regulations to guide and expedite development approvals.

For more information, contact Christina Bruce, Director, Policy Planning & Special Programs at ext. 8231.

Approved by

A handwritten signature in black ink, appearing to read 'Haiqing Xu', written in a cursive style.

Haiqing Xu, Deputy City Manager,
Planning & Growth Management