

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 16, 2023

Item 3, Report No. 23, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on May 16, 2023, as follows:

By receiving Communication C12 from Patrick J. Harrington, Aird & Berlis LLP, Bay Street, Toronto, dated May 9, 2023.

3. INTRODUCING AN INTERIM CONTROL BYLAW IN THE VICINITY OF KIPLING AVENUE AND WOODBRIDGE CENTRE

The Committee of the Whole recommends:

1. That the recommendations contained in the following report of the Deputy City Manager, Planning and Growth Management and Deputy City Manager, Infrastructure Development, dated May 9, 2023, be approved; and
2. That the Communication C2 from Ira T. Kagan, Kagan Shastri DeMelo Winer Park LLP, Avenue Road, Toronto, dated May 8, 2023, be received.

Recommendations

1. THAT Council pass an Interim Control Bylaw for the area located in the Kipling Avenue Corridor Secondary Plan as identified in Attachment 1 to be in effect for a period of one year; and
2. THAT Council direct staff to undertake a study in consultation with Metrolinx to identify a desired location of a future GO station area, and if required, prepare an Official Plan Amendment to the Kipling Avenue Corridor Secondary Plan to protect the future GO station site and rationalize and optimize the land uses in the area.

Committee of the Whole (2) Report

DATE: Tuesday, May 9, 2023 **WARD(S):** 2

TITLE: INTRODUCING AN INTERIM CONTROL BYLAW IN THE VICINITY OF
KIPLING AVENUE AND WOODBRIDGE CENTRE

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management
Vince Musacchio, Deputy City Manager, Infrastructure Development

ACTION: DECISION

Purpose

To introduce an Interim Control Bylaw in the Kipling Avenue Corridor Secondary Plan area to allow for the review of the Official Plan land use designations and further study of a desirable location for a Woodbridge GO station as part of the proposed Caledon-Vaughan GO Line.

Report Highlights

- The City of Vaughan, alongside its counterparts in the Town of Caledon, have been actively pursuing a vital regional link in response to significant and expected growth over the next three decades in the broader areas adjacent to the proposed GO rail line.
- Potential locations for a station in the Woodbridge area may become permanently lost if this area is not studied to evaluate the opportunities to protect for a potential GO rail station.
- Staff are of the opinion that a study is needed to identify a desired location for the GO station, and if such a location exists, the existing land use designations may need to be rationalized and optimized to facilitate transit supportive development in the area.
- Section 38(1) of the Planning Act permits a municipality to pass an interim control by-law (ICBL) that prohibits the use of land, buildings or structures for such purposes as set out in the by-law.

Recommendations

1. THAT Council pass an Interim Control Bylaw for the area located in the Kipling Avenue Corridor Secondary Plan as identified in Attachment 1 to be in effect for a period of one year; and
2. THAT Council direct staff to undertake a study in consultation with Metrolinx to identify a desired location of a future GO station area, and if required, prepare an Official Plan Amendment to the Kipling Avenue Corridor Secondary Plan to protect the future GO station site and rationalize and optimize the land uses in the area.

Background

A proposed GO station on the Caledon-Vaughan GO Rail line is identified in the general vicinity of Kipling Avenue and the existing Canadian Pacific Railway line, as shown on Schedule 10 Major Transit Network of the Vaughan Official Plan 2010 (VOP 2010).

While previously identified as a proposed GO Station on Map 11 Transit Network of YROP 2010, this Station has been removed from Map 10 Rapid Transit Network of YROP 2022 and is not related to a Major Transit Station Area (YROP 2022, Appendix 2). The Region of York Transportation Plan identifies the Bolton Rail Service as a project beyond the 2041 horizon.

The City of Vaughan, alongside its counterparts in the Town of Caledon, have been actively pursuing this vital regional link in response to significant and expected growth over the next three decades in the broader areas adjacent to the proposed GO rail line.

Staff are considering the need to identify and protect for a potential GO rail station in the Woodbridge area. Potential locations for such a station in the area may become permanently lost if this area is not studied to evaluate the opportunities to protect for a GO rail station.

Analysis and Options

On March 28, 2023, Mayor Del Duca stated traffic and traffic-related concerns were ranked top-of-mind by residents and businesses as one of the critical issues facing the community. Compounding Vaughan's traffic issues, Mayor Del Duca highlighted Vaughan's rapidly growing population, coupled with Council's approval to implement the Ontario Government's Housing Pledge and the City's provincially mandated housing targets to facilitate the construction of 42,000 new homes in Vaughan by 2031.

Mayor Del Duca detailed a 10-year Action Plan to Fight Traffic Gridlock in Vaughan, featuring several Council-approved city-building projects currently planned or underway that will enhance residents' quality of life and strengthen the City's economic

competitiveness to retain and attract investment. These projects include continuing Council advocacy for GO Train service for Woodbridge and Kleinburg-Nashville, and for new GO stations on the Barrie GO corridor at Concord and Kirby.

Supporting the Caledon-Vaughan GO Rail Line Woodbridge Station Location

Specifications as identified in the [Metrolinx GO Design Manual](#) require a minimum of a 315 metre straight railway track to build the platform and related station infrastructure for a GO Station. This demonstrates that there may be possible locations to further explore.

The ICBL Land-Use Study

Staff are of the opinion that a study is needed to identify a desired location for the GO station. If such a location exists, the approved land use designations in the Kipling Avenue Corridor Secondary Plan may need to be rationalized and optimized to protect the proposed station location and facilitate transit supportive development in the area. If applicable, staff would then have updated land use designations identified for consideration of development applications proposed for this area.

Staff are of the opinion that, if a GO station is identified for this area, then the land uses in the area will need to guide future development to ensure that they support transit and contribute to the walkability of the area. As such, in addition to considering potential locations for a GO station, if one is identified, then the study will seek to:

- Gather feedback from stakeholders and the local community
- Develop a land use plan and policies to facilitate a transit supportive development.

Enacting the use of an Interim Control By-Law

Section 38(1) of the Planning Act permits a municipality to pass an interim control by-law that prohibits the use of land, buildings or structures for such purposes as set out in the by-law. This, in effect, “freezes” development that is described by the by-law for a period not to exceed one year, or two years if the period the ICBL is in effect is extended.

An ICBL is an important planning tool that allows the municipality to rethink its current land use policies by suspending development that may end up conflicting with any new policy that may be developed.

In order to enact an ICBL, Council must direct that a review or study be undertaken with respect to the existing land use policies in question.

Attachment 1 presents the proposed area to be included in the ICBL. The ICBL would apply to all lands, buildings and structures within the area identified. Notwithstanding any other by-law to the contrary, the ICBL would identify that no person shall:

- use any land, building or structure for any additional purpose except for a use that lawfully existed on the date of the passage of a proposed By-law as long as it continues to be used for such purpose;
- be permitted to construct, alter or expand any building or structure, except where a Building Permit application filed in accordance with the Ontario Building Code Act was complete on or before the date of the passage of this By-law.

The ICBL would come into full force and effect on the day of its passing and would be in effect for a period of one year from the date of passage. During this time the aforementioned land use study would be undertaken to examine the possible location for a GO station as well as the mix of land uses within the designated area. The ICBL would be lifted after the one year period or extended to a maximum period of two years for the completion of the study.

Financial Impact

Funding would be required to conduct the ICBL Study. An existing project on the Growth Management Strategy (BU-9571-20) can be used to cover up to \$100,000 to commence work in 2023, however an update to this funding will be requested through the 2024 budget process.

Operational Impact

Undertaking the proposed land-use study will require the involvement of staff across several City departments with requisite subject matter expertise, including the development of the Terms of Reference for the study and review of the work at various stages throughout the project.

Broader Regional Impacts/Considerations

The City will work with the Region, Metrolinx and required stakeholders to advance land use studies and ensure an effective implementation strategy and proposed transportation network as critical components of complete and healthy communities.

Conclusion

Utilization of an ICBL in the area located in the Kipling Avenue Corridor Secondary Plan as identified in Attachment 1, will allow for staff to undertake a land use study, and in

consultation with Metrolinx, identify a potential location for a future GO station. If required, staff will prepare an Official Plan amendment to the Kipling Avenue Corridor Secondary Plan and/or corresponding Zoning By-law amendment to protect for the future GO station site and to rationalize and optimize the land uses in the area.

This will allow the City, alongside its counterparts in the Town of Caledon and partners to actively pursue this vital regional link in response to significant and expected growth over the next three decades in the broader areas adjacent to the proposed GO rail line.

For more information, please contact:

Christina Bruce, Director, Policy Planning and Special Programs, ext. 8231

Attachments

1. Proposed Interim Control By-law Area
2. Proposed Zoning-By Law

Prepared by

Christina Bruce, Director, Policy Planning and Special Programs, ext. 8231

Approved by

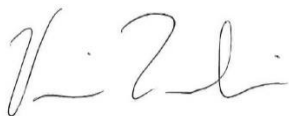


Haiqing Xu, Deputy City Manager
Planning and Growth Management

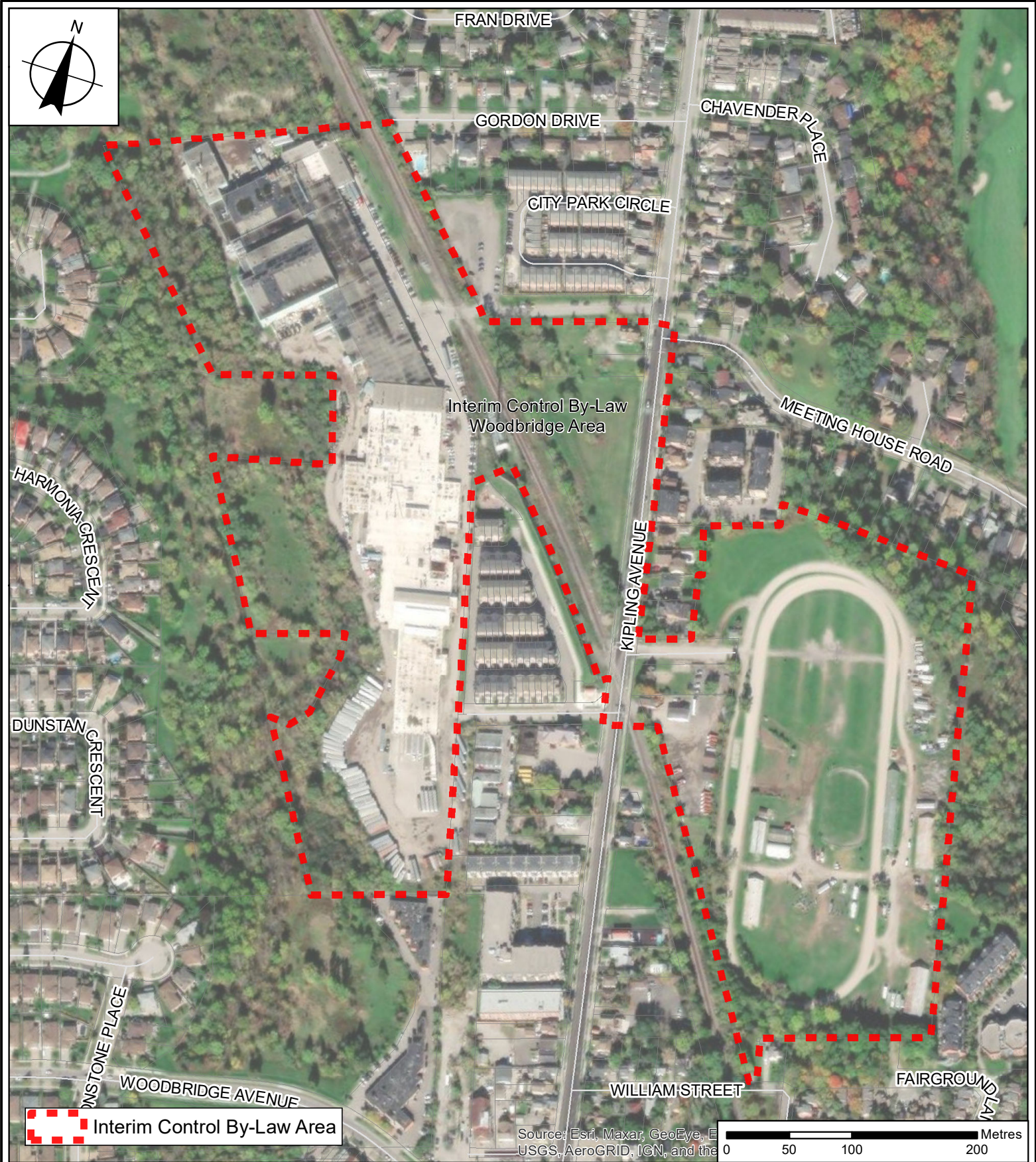
Reviewed by



Vince Musacchio
on behalf of Nick Spensieri,
City Manager



Vince Musacchio, Deputy City Manager,
Infrastructure Development



Interim Control By-Law Woodbridge Area

Attachment



1

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER XXX-2023

An Interim Control By-law in the vicinity of the Kipling Avenue Corridor Secondary Plan area to allow for the review of the Official Plan land use designations and a desirable location for a Woodbridge GO station as part of the proposed Caledon-Vaughan GO Line.

WHEREAS Section 38 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, permits the Council of a Municipality to pass an Interim Control By-law, that may be in effect for up to one year, which prohibits the use of land, buildings or structures within the municipality or within the defined area thereof for, or except for, such purposes as set out in the By-law, but only if the Council of the municipality has directed that a review or study be undertaken with respect to land use planning policies that apply to the subject area;

AND WHEREAS the Council of the City of Vaughan directed staff at the Committee of the Whole Meeting on June 9th, 2023, that a land use study be undertaken for the review of Official Plan land use designations and identification of a desirable location for a Woodbridge GO station as part of the proposed Caledon-Vaughan GO Line and the broader Regional transit system;

AND WHEREAS the Council of The City of Vaughan seeks to control development while the Study is being completed;

NOW THEREFORE the Council of The City of Vaughan ENACTS AS FOLLOWS:

1. This Interim Control By-law be placed on and applies to all lands, buildings and structures within the area identified on Schedule 'A' attached hereto (the Study Area).
2. Notwithstanding any other by-law to the contrary, no person shall, for the lands identified on Schedule 'A' attached hereto:
 - a) Use any land, building or structure for any purpose whatsoever except for a use that lawfully existed on the date of the passage of this By-law as long as it continues to be used for such purpose; or
 - b) Be permitted to construct, alter or expand any building or structure, except where a Building Permit application filed in accordance with the Ontario *Building Code Act*, 1992, S.O. 1992, c. 23, as amended, was complete on or before the date of the passage of this By-law.
3. This By-law shall come into full force and effect on the day of its passing and shall expire one year from the date of passage of this By-law, unless this By-law is otherwise extended in accordance with the provision of the *Planning Act*, R.S.O., 1990, c.P.13, as amended.