

# Committee of the Whole (1) Report

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**DATE:** Tuesday, September 12, 2023

**WARD(S):** ALL

**TITLE:** OFFICIAL PLAN AMENDMENT (MAJOR TRANSIT STATION AREAS) CITY-WIDE – FILE NO. 26.18

**FROM:**

Haiqing Xu, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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## **Purpose**

To seek approval from the Committee of the Whole on a City-initiated Amendment to the Vaughan Official Plan 2010 ('VOP 2010'). The purpose of the Amendment is to bring VOP 2010 policies into conformity with the updated York Region Official Plan 2022 ('YROP 2022') and add Schedule 1C – Protected Major Transit Station Areas which identifies Protected Major Transit Station Areas ('PMTSAs') delineated by York Region, in consultation with the City of Vaughan.

## **Report Highlights**

- To bring VOP 2010 into conformity with the provincially approved YROP 2022, the City of Vaughan must delineate PMTSAs identified in YROP 2022 and identify minimum density targets.
- Vaughan must establish policies in VOP 2010 for PMTSAs and provide land use designations with minimum heights and densities to achieve the minimum density targets in PMTSAs.
- A Gross Minimum Floor Space Index is provided for each PMTSA based on York Region's Regional Standards.
- The *Planning Act* provides protection against land use planning appeals at the Ontario Land Tribunal for areas identified as PMTSAs.
- This report addresses comments received from the May 30, 2023, Committee of the Whole – Public Meeting.

## **Recommendations**

1. THAT Official Plan Amendment File 26.18 BE APPROVED, to amend Vaughan Official Plan 2010, Volume 1, and add Schedule 1C – Protected Major Transit Station Areas; and
2. THAT the Official Plan Amendment, as adopted by Council, be forwarded to York Region for Approval, and inserted into Volume 1 of the Vaughan Official Plan 2010, forming part of Section 2.2.1 Vaughan’s Urban Structure, 2.2.5 Intensification Areas and 10.2.2 Definitions, and Schedule 1C – Protected Major Transit Station Areas be added to Vaughan Official Plan, Volume 1, Schedules.

## **Background**

Location: This is a City-wide Official Plan Amendment (‘OPA’) to delineate the PMTSAs located on lands surrounding the City’s transit stations and stops along the Subway Line, Go Transit Line and Bus Rapid Transit Route.

### ***City staff previously brought forward a report to a Statutory Public Meeting on May 30, 2023***

At the May 30, 2023, Committee of the Whole Public Meeting, Policy Planning staff brought forward a report to receive comments from the public and the Committee of the Whole on a City-initiated Amendment to VOP 2010 to bring VOP 2010 policies into conformity with YROP 2022 and add Schedule 1C – Protected Major Transit Station Areas which identifies PMTSAs delineated by York Region, in consultation with the City of Vaughan.

### ***Public Notice was provided in accordance with the Planning Act and Council’s Notification Protocol***

Public Notice of this proposed Amendment to VOP 2010, regarding the report titled “Official Plan Amendment (Major Transit Station Areas)”, was given in the following manner:

- a) Date the Notice of Committee of the Whole – Public Meeting was circulated:  
May 5, 2023

The Notice of Public Meeting was also posted on the City’s web-site at [www.vaughan.ca](http://www.vaughan.ca), the City’s Official Plan Review (‘OPR’) Engagement web-site at [www.forwardvaughan.ca](http://www.forwardvaughan.ca), was e-blasted to OPR interested parties and was published in the Vaughan Citizen and Thornhill Liberal on May 4 and May 18, 2023.

The following deputations and written submissions were received by the Policy Planning and Special Programs Department, and at the Committee of the Whole Public Meeting on May 30, 2023:

Deputations

- M. Mauti, representing Vaughanwood Ratepayers Association, and Communication C1, dated May 29, 2023
- J. Kucharczuk, representing Beverley Glen Ratepayers Association
- J. Obregón, Laurel Valley Court, and Communication C10, dated May 30, 2023

Written Submissions

- K. Webber, MHBC Planning, Brant Street, Burlington, dated May 29, 2023
- T. and C. Malta, Arrowhead Drive, Woodbridge, dated May 28, 2023

Table 1 is a summary of the comments provided through deputations and written submissions received by the Policy Planning and Special Programs Department. Comments have been addressed under the column titled “Policy Planning Staff Response”.

Table 1: Summary of Public Comments and City Staff Responses

<b>Comment Theme</b>	<b>Summary of Comments</b>	<b>Policy Planning Staff Response</b>
Consideration of PMTSA Boundary Adjustments	<p>Consider modifying the southern boundary of PMTSA 58 by bringing the boundary further north.</p> <p>Consider modifying the southern boundary of PMTSA 55 as it encroaches a woodlot and is of environmental concern.</p>	<p>Currently, the City does not have the authority to modify PMTSA boundaries. The PMTSA boundaries in the proposed OPA must conform to the PMTSA boundaries and minimum density targets provided in YROP 2022 as approved by the Minister. Proposed changes to the Provincial Policy Statement could allow for the City to modify PMTSA boundaries in the future, however, current Provincial legislation requires the City to conform to YROP 2022 by delineating PMTSA boundaries and minimum density targets provided in YROP 2022 currently.</p> <p>The woodland within PMTSA 55 is designated as a “Natural Area” and there is</p>

Comment Theme	Summary of Comments	Policy Planning Staff Response
		no proposal to change this designation. It is the intent that within a PMTSA, woodlands designated as “Natural Areas” maintain the designation.
Gross Minimum Floor Space Index (‘FSI’) for PMTSAs	<p>Staff should consider assigning less Gross Minimum FSI to PMTSA 69. A minimum 160 people and jobs per hectare (‘PJH’) is assigned to both PMTSA 63 and PMTSA 69 but PMTSA 69 has a higher proposed minimum FSI than PMTSA 63. The characteristics of PMTSA 69 should inform a lower minimum FSI than PMTSA 63.</p> <p>Would like to understand how the proposed Gross Minimum FSIs were derived.</p>	<p>The Gross Minimum FSIs are based on York Region’s assumption for persons and jobs per metre-squared and converting these numbers to a recommended Gross Minimum FSI (for reference purposes) to guide site-specific FSIs.</p> <p>A primarily residential building on a per metre-squared basis generates less persons versus a non-residential use. Consequently, to achieve 160 PJH, a primarily residential PMTSA requires a higher Gross Minimum FSI versus a primarily non-residential PMTSA.</p> <p>The proposed Gross Minimum FSI for PMTSA 69 is 0.9 and the proposed Gross Minimum FSI for PMTSA 63 is 0.8. PMTSA 63 has a slightly lower Gross Minimum FSI because within PMTSA 63, there is a greater proportion of non-residential land uses versus PMTSA 69.</p> <p>The lands within PMTSA 69 with redevelopment potential are currently designated by Schedule 13 – Land Use of VOP 2010 with FSIs of 2 and 2.5. These FSI’s are sufficient to meet the minimum density target of 160 PJH and the Gross Minimum FSI of 0.9 for PMTSA 69.</p>

Comment Theme	Summary of Comments	Policy Planning Staff Response
Concerns regarding Intensification	<p>Intensification within well-established low-density communities should be reined in until proper transit and road infrastructure is in place and continues beyond Helen Street (PMTSA 69).</p> <p>Future proposed development needs to include amenities which would benefit surrounding communities.</p> <p>Until Highway 7 is widened, PMTSA 69 should not be further intensified.</p>	<p>The proposed Official Plan Amendment to VOP 2010 to include the PMTSA policies and boundaries does not include any amendments to further intensify the lands within the PMTSAs. The current VOP 2010 designations are sufficient to meet the minimum density targets (PJH).</p>
Consideration of Additional Policies	<p>Request that policies be updated to give the City authority to make minor changes in the form of traffic policies and addition of bus lanes.</p>	<p>The City of Vaughan Policy Planning and Special Programs Department is currently undertaking the OPR and is in the Policy Development phase. Traffic Engineering and Transportation Engineering staff are part of the Technical Advisory Committee for the OPR and have been engaged through the Policy Development process. As this comment does not directly relate to the policies of this Amendment, the comment will be considered by Policy Planning staff through the OPR process.</p>

***The Planning Act permits York Region to include policies in YROP 2022 regarding PMTSAs***

Pursuant to section 16 of the *Planning Act*, the official plan of an upper-tier municipality may include policies that identify the area surrounding and including an existing or planned higher-order transit station or stop as a PMTSA and delineate the area’s boundaries. If the official plan includes these policies, it must also contain policies that

identify the minimum number of residents and jobs per hectare for each PMTSA, and require that the official plans of the lower-tier municipalities include policies that identify the permitted land uses and buildings and/or structures in the PMTSA, and identify the minimum densities permitted with respect to the buildings and/or structures on the lands in the PMTSA.

### ***The Provincial Growth Plan directs growth to Strategic Growth Areas***

A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2020 ('A Place to Grow') identifies Strategic Growth Areas as the focus for accommodating intensification and higher-density mixed-uses in a more compact built form. Strategic Growth Areas include Urban Growth Centres, Major Transit Station Areas ('MTSAs'), and other areas where intensification opportunities are present. Strategic Growth Areas can also include lands along major roads, arterial roads, or areas with existing or planned higher-order transit corridors.

### ***MTSAs are areas within an approximate 500 to 800 metre radius of a higher-order transit station or stop***

A Place to Grow defines MTSAs as:

*"The area including and around any existing or planned higher-order transit station or stop within a settlement area; or the area including and around a major bus depot in an urban core. Major transit station areas generally are defined as the area within an approximate 500 to 800 metre radius of a transit station, representing about a 10-minute walk".*

York Region has identified PMTSAs which are those around existing or in-development higher-order transit stations or stops. In the City of Vaughan there are 20 PMTSAs. These PMTSAs are within Priority Transit Corridors including existing and/or future subway, bus rapid transit and GO Transit stations.

### ***A Place to Grow directs York Region to delineate MTSA boundaries and set minimum density targets for MTSAs located on Provincial Priority Transit Corridors***

The PMSTAs in Vaughan, as identified in Table 2 of this report, are within Provincial Priority Transit Corridors. Provincial Priority Transit Corridors reflect existing transit corridors as well as funded future transit corridors. Minimum density targets set out by A Place to Grow for MTSAs located on Provincial Priority Transit Corridors are as follows:

- 200 people and jobs per hectare for subway stations
- 160 people and jobs per hectare for light rail transit or bus rapid transit
- 150 people and jobs per hectare for GO Transit rail network

For a MTSA, the Minister may approve a minimum density that is lower than the applicable minimum density requirement where it is demonstrated that the minimum density requirement cannot be achieved. The Highway 407 Subway Station currently has a minimum density target of 0 people and jobs per hectare in YROP 2022, Appendix 2 – York Region Major Transit Station Areas, because the lands are currently situated within the “Parkway Belt West Plan” designation.

***To be in conformity with YROP 2022, the City of Vaughan must delineate PMTSAs identified in Appendix 2 of YROP 2022 and identify minimum density targets in number of residents and job per hectare for each PMTSA***

Policy 4.4.41 of YROP 2022 directs local municipalities to delineate PMTSAs identified on Map 1B – Urban System Overlays and Appendix 2 – York Region Major Transit Station Areas of YROP 2022, and identify minimum density targets in number of residents and jobs per hectare as shown in Appendix 2. Table 2 provides a list of PMTSAs and minimum density targets in the City of Vaughan shown in Appendix 2 of YROP 2022.

Table 2: PMTSA ID, Station Name and Minimum Density Targets in Vaughan

<b>PMTSA ID</b>	<b>Station Name</b>	<b>Minimum Density Target</b>
PMTSA 9	Clark Subway Station	250 PJH
PMTSA 19	Royal Orchard Subway Station	200 PJH
PMTSA 20	Steeles Subway Station	300 PJH
PMTSA 52	Ansley Grove BRT Station	200 PJH
PMTSA 53	Atkinson BRT Station	160 PJH
PMTSA 54	Commerce BRT Station	350 PJH
PMTSA 55	Concord Station BRT Station	160 PJH
PMTSA 56	Creditstone BRT Station	300 PJH
PMTSA 57	Disera-Promenade BRT Station	200 PJH
PMTSA 58	Dufferin BRT Station	160 PJH
PMTSA 59	Highway 407 Subway Station	0 PJH*

<b>PMTSA ID</b>	<b>Station Name</b>	<b>Minimum Density Target</b>
PMTSA 60	Keele BRT Station	160 PJH
PMTSA 62	Maple GO Station	150 PJH
PMTSA 63	Pine Valley BRT Station	160 PJH
PMTSA 64	Pioneer Village Subway Station	200 PJH
PMTSA 65	Rutherford GO Station	100 PJH
PMTSA 66	Taiga BRT Station	160 PJH
PMTSA 67	Vaughan Metropolitan Centre Subway Station	400 PJH
PMTSA 68	Weston BRT Station	250 PJH
PMTSA 69	Wigwoss-Helen BRT Station	160 PJH

\*The Highway 407 Subway Station currently has a minimum density target of 0 people and jobs per hectare in YROP 2022, Appendix 2 – York Region Major Transit Station Areas, as approved by the Minister, because the lands are currently situated within the “Parkway Belt West Plan” designation.

***It is the responsibility of the City of Vaughan to establish policies in VOP 2010 for PMTSAs and provide land use designations with minimum heights and densities to achieve the minimum density targets of YROP 2022***

The *Planning Act* requires Vaughan to update VOP 2010 to conform with the PMTSA boundaries, minimum density targets and policies in YROP 2022. Local municipalities have discretion to determine appropriate land uses, specific density requirements, building heights and other planning considerations to achieve the overall minimum density target for each PMTSA set out in YROP 2022.

***The Planning Act provides protection against land use planning appeals at the Ontario Land Tribunal for areas identified as PMTSAs***

Section 16 of the *Planning Act* restricts official plan and zoning appeals for areas that are identified as PMTSAs in both regional and local official plans. Through the Municipal Comprehensive Review, York Region identified all MTSA in the Region as PMTSAs, including MTSA on Provincial Priority Transit Corridors and Other Transit Corridors. By identifying them as PMTSAs they receive protection from appeals on PMTSA policies and land use planning matters. For PMTSAs, the following cannot be appealed to the Ontario Land Tribunal in both regional and local official plans, pursuant to section 16 (36.1.4) of the *Planning Act*:

- Policies that identify a PMTSA and delineate its boundaries, including changes to those policies;



- Policies that identify the minimum density target in a PMTSA (people and jobs per hectare);
- Policies that identify the approved land uses and permitted buildings and/or structures in a PMTSA;
- Policies that identify the minimum densities permitted with respect to buildings and/or structures in a PMTSA;
- Policies that identify maximum densities permitted with respect to buildings and/or structures in a PMTSA; and,
- Policies that identify minimum or maximum heights permitted for buildings and/or structures in a PMTSA.

### **Previous Reports/Authority**

A previous report related to the Official Plan Amendment can be found at the following link:

Official Plan Amendment Major Transit Station Areas, Committee of the Whole (Public Meeting) Report

[May 30, 2023, Committee of the Whole Public Meeting \(Item 4, Report 2\)](#)

### **Analysis and Options**

***The proposed Amendment includes the addition of Schedule 1C – Protected Major Transit Station Areas and policy additions to 2.2.5 Intensification Areas and 10.2.2 Definitions of VOP 2010, Volume 1***

The proposed addition of Schedule 1C – Protected Major Transit Station Areas to VOP 2010, Volume 1, illustrates the PMTSAs in the City of Vaughan delineated by York Region on Map 1B – Urban System Overlays, and shows the minimum density targets from Appendix 2 – York Region Major Transit Station Areas of YROP 2022. Schedule 1C includes a context map of the City of Vaughan with all PMTSAs numbered to identify their location in Vaughan. Schedule 1C also provides individual maps of each PMTSA in Vaughan and shows the PMTSA's minimum density target and gross area in hectares.

VOP 2010, Volume 1, Section 2.2.5 sets out the policy framework for Intensification Areas in Vaughan. Intensification Areas consist of a hierarchy of mixed-use centres and corridors. Section 2.2.5 Intensification Areas includes policies for the Vaughan Metropolitan Centre, Regional Intensification Corridors, Primary Centres, Primary Intensification Corridors and Local Centres. To bring VOP 2010 into conformity with YROP 2022, an amendment to Section 2.2.5 of VOP 2010, Volume 1, is required by adding policies specific to PMTSAs. This will result in a policy framework for PMTSAs

that conforms with the policies of YROP 2022 and updated Provincial plans and policies by:

- Following the direction of York Region to delineate PMTSAs identified on Map 1B – Urban System Overlays and Appendix 2 – York Region Major Transit Station Areas of YROP 2022;
- Identifying minimum density targets in residents and jobs per hectare as shown in Appendix 2 of YROP 2022; and,
- Establishing policies in VOP 2010 that identify land use designations, including minimum heights and densities, that will achieve the minimum density target in each PMTSA based on local context and conditions.

The proposed Official Plan Amendment (Attachment #1) includes the PMTSA policies for Vaughan which will form part of Section 2.2.5 Intensification Areas of VOP 2010, Volume 1.

10.2.2 ‘Definitions’ of VOP 2010, Volume 1, will also be updated through this Amendment to reference PMTSAs in the definition of “Intensification Areas” and add “Protected Major Transit Station Area” as a new definition.

***The delineation of the PMTSAs was based on existing VOP 2010 land use and density policies where existing and planned infrastructure has been allocated***

Through the Municipal Comprehensive Review process to update the York Region Official Plan, York Region consulted the City of Vaughan to determine the appropriate PMTSA boundaries and minimum density targets. This exercise was based on the policies of VOP 2010, and corresponding land use designations, including permitted heights and densities as shown on Schedule 13 – Land Use, of VOP 2010, Volume 1. Existing and planned infrastructure to achieve the minimum density targets set out by YROP 2022, Appendix 2, has been allocated for based on VOP 2010 policies and the height, densities and corresponding land use designations identified on Schedule 13 of VOP 2010. All applicable policies, schedules, and designations of VOP 2010 shall apply to PMTSAs identified on Schedule 1C.

***The proposed addition of Policy 2.2.5.19 provides the overall Gross Minimum FSI for each PMTSA***

Policy 2.2.5.19, Table A, of the proposed Amendment (Attachment #1) provides Gross Minimum FSIs for each of the PMTSAs based on York Region’s assumption for persons and jobs per metre-squared and converting these numbers to a recommended Gross Minimum FSI, for reference purposes, to guide site-specific FSIs.

The Gross Minimum FSI's provided in policy 2.2.5.19 of the proposed Amendment shall apply to the entirety of the buildings and/or structures within each PMTSA identified on Schedule 1C – Protected Major Transit Station Areas.

***Development applications which have not been deemed complete prior to York Region Approval of this Amendment are subject to the policies of this Amendment***

The *Planning Act* provides a prescribed time frame to municipalities in which they are required to deem a development application complete. VOP 2010, Section 10.1.3, provides policies on submission requirements for complete applications.

In accordance with YROP 2022, 7.4 Transition Policies, all planning decisions shall conform to the Provincial plans and shall be consistent with the Provincial Policy Statement (policy 7.4.11), and development applications which have not been deemed complete by the date of the Plan's (YROP 2022) approval shall be subject to the policies of the Plan (policy 7.4.13).

Consistent with Provincial plans and policies, and in conformity with YROP 2022, any development application that is deemed complete by the City, on or following the date that this Amendment receives York Region Approval, is subject to the policies of this Amendment.

***PMTSA policies will be reviewed as part of the OPR process and can be refined through the OPR if necessary***

Pursuant to section 17 of the *Planning Act*, any lower-tier municipality that is required to include PMTSA policies in their official plan as prescribed by section 16(b)(i) and (ii) of the *Planning Act*, must amend their official plan within one year from the day the upper-tier municipalities' policies regarding PMTSAs come into effect.

The purpose of this Amendment is to bring VOP 2010 into conformity with YROP 2022 within the one-year time frame prescribed by the *Planning Act* and ensure consistency with Provincial plans and policies. Additional policies for PMTSAs, more specific to Vaughan's local context, can be considered as part of the OPR process that remains ongoing.

**Financial Impact**

There are no requirements for new funding associated with this report.

## **Operational Impact**

Vaughan staff and external agencies were consulted through York Region's Municipal Comprehensive Review process. Vaughan Planning staff initially prepared and provided York Region with proposed PMTSA boundaries and minimum density targets for PMTSA locations in Vaughan.

Vaughan staff and external agencies have also been consulted through Vaughan's OPR process. Internal staff have been circulated on background work, included in Technical Advisory Committee meetings, circulated on policy directions and on draft policy for the updated official plan. The draft OPA for PMTSAs was reviewed by multiple internal departments and external agencies who participate as part of the Technical Advisory Committee for the Vaughan OPR process. City staff comments have been addressed through internal discussions and have resulted in minor revisions to the proposed draft Amendment that was presented at the May 30, 2023, Committee of the Whole Public Meeting. The red-lined version of the proposed Amendment is included as Attachment #1 to this report. Agency comments regarding the consideration for additional policies related to development processes for PMTSAs will be considered as part of the OPR process.

## **Broader Regional Impacts/Considerations**

This Amendment has been prepared to conform to recently updated Provincial plans and policies and YROP 2022. Section 4.4 of YROP 2022 sets out intensification policies with respect to PMTSAs. This section directs local municipalities to delineate PMTSAs identified on YROP 2022, Map 1B – Urban System Overlays, and Appendix 2 – York Region Major Transit Station Areas, and identify minimum density targets. This section also directs local municipalities to establish policies in their official plans for PMTSAs and establish land use designations with minimum heights and densities that will achieve the minimum density target of each PMTSA.

York Region is the approval authority for this proposed Amendment to VOP 2010 and was circulated the draft Amendment for review. Due to the nature of this Amendment being for conformity purposes, the Amendment cannot be exempt from York Region Approval, pursuant to section 26 of the *Planning Act*. York Region staff confirmed through the circulation of the draft Amendment that they do not have any comments or objections as the proposed Amendment incorporates the boundaries of Vaughan's PMTSAs, makes minor revisions to VOP 2010 to introduce the new Intensification Areas and generally conforms with YROP 2022.

City staff will continue to work with the Region to ensure that the requirements of any new Provincial policies are fulfilled.

## **Conclusion**

Adding Schedule 1C – Protected Major Transit Station Areas to VOP 2010 to include PMTSA boundaries and amending Section 2.2.5 Intensification Areas with the addition of PMTSA policies provides the opportunity to bring the current VOP 2010 policies into conformity with the York Region Official Plan and A Place to Grow. In addition, it will provide protection to PMTSAs against land use planning appeals at the Ontario Land Tribunal due to appeal restrictions in place by the *Planning Act*. Accordingly, the Policy Planning and Special Programs Department recommends that the Official Plan Amendment to VOP 2010, Volume 1, including the addition of Schedule 1C – Protected Major Transit Station Areas, be approved.

**For more information**, please contact Fausto Filipetto, Senior Manager of Policy & Sustainability, ext. 8699.

## **Attachment**

1. Red-lined “Official Plan Amendment – Protected Major Transit Station Areas” and Schedule 1C – Protected Major Transit Station Areas

## **Prepared by**

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## **Approved by**



Haiqing Xu, Deputy City Manager,  
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## **Reviewed by**



Nick Spensieri, City Manager