

Council Report

DATE: Wednesday, November 29, 2023

WARD(S): ALL

TITLE: CITY OF VAUGHAN RESPONSE TO PROVINCIAL
MODIFICATIONS TO YORK REGION OFFICIAL PLAN, 2022

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

The Ministry of Municipal Affairs and Housing is seeking feedback from municipalities on the Ministry's modifications to the adopted York Region Official Plan issued in a Notice of Decision dated November 4, 2022. City of Vaughan staff have prepared recommendations to be presented to Council.

Report Highlights

- The Ministry of Municipal Affairs and Housing is seeking feedback from Vaughan relating to provincial modifications made to York Region's Official Plan, 2022.
- Feedback is informed by analysis on circumstance, projects, and ongoing planning studies.
- Ongoing city studies that could be impacted by the provincial modifications is the Official Plan Review, and Vaughan Metropolitan Centre Secondary Plan update.
- All feedback is to be returned to Ministry staff by December 7, 2023.

Recommendations

1. That Council approve recommendations made in the staff recommendation column of the table in this report on the potential reinstatement or removal of the provincial modifications to the York Region Official Plan impacting the City of Vaughan; and,

2. That these recommendations as approved provide basis to respond to Ministry of Municipal Affairs and Housing before December 7, 2023.

Background

On October 23, 2023, the Minister of Municipal Affairs and Housing (MMAH) announced the intent to introduce legislation as soon as possible that would reverse the province's changes to Regional and Single tier Official Plans (see Attachment 1).

The legislation, known as "Bill 150, Planning Statute Law Amendment Act, 2023", was introduced on November 16, 2023, which, if passed, would wind back provincial changes to official plans and official plan amendments of the 12 municipalities, including York Region, except in circumstances where construction has begun or where doing so would contravene existing provincial legislation and regulations or for public health and safety.

Mayors of impacted single and lower-tier municipalities are asked to submit feedback, including proposed changes and updates to the Official Plans/Official Plan Amendments, to Ministry staff by December 7, 2023.

As outlined on Attachment 1, the Ministry has requested lower-tier municipalities provide input on provincial modifications to York Region Official Plan ('YROP 2022') in reference to specific criteria including circumstances, projects or planning studies aligned with municipal planning framework, or where construction has begun on a site-specific basis.

York Region Official Plan was adopted by York Region Council on June 16, 2022, and approved by the Province on November 4, 2022. The Province issued a Notice of Decision that approved eighty (80) modifications to the Region of York's Official Plan (see Attachment 2). York Region subsequently incorporated all provincial modifications identified in the Notice of Decision and released a consolidated version of the YROP 2022.

Vaughan's Official Plan Review was initiated in September 2021 to bring official plan policies in conformity with Provincial Plans and YROP 2022. Section 27 (2) of the Planning Act, R.S.O,1990, requires Vaughan's Official Plan, and associated bylaw, to be approved within a one-year period of the approval of YROP 2022.

October 3, 2023, a public meeting was held to present an Official Plan Amendment relating to policy conformity with YROP 2022. As of October 23, 2023, work on

Vaughan's Official Plan policies relating to regional conformity have been placed on hold considering the introduction of Bill 150. Official Plan policies not relating to regional conformity are under development.

Previous Reports/Authority

- October 3, 2023, [Official Plan Review: Proposed Part A Official Plan Amendment](#)
- September 12, 2023, [Official Plan Amendment \(Major Transit Station Areas\) City-Wide File No.26.18](#)
- October 4, 2023, [VMC Sub-Committee Report, VMC Secondary Plan Update: Phase IV - Recommendations \(Item #1\)](#)
- October 15, 2020, [York Region Proposed Employment Area Mapping and Employment Conversions](#)

Analysis and Options

In response to the Ministry's direction to single and lower-tier municipalities, City staff have reviewed the provincial modifications contained in the Notice of Decision issued by Ministry of Municipal Affairs and Housing ('MMAH') and subsequent modifications from Bill 150 that impact the City of Vaughan. Staff's review is based on consideration of a broader planning context including the circumstances, projects, and ongoing planning studies which may inform staff response to the request for feedback on specific modifications, as directed by MMAH.

The approval of York Region's Official Plan 2022, as outlined in the Notice of Decision (see attachment 2), included eighteen (18) site-specific modifications identified in the City of Vaughan, several of which are related to urban area expansion and employment area conversions (see Attachment 3).

Please see below the list of the site-specific modifications in the following table (Table 1) that indicate the status of the modification as of Bill 150 and the staff recommendation of supporting the removal of the modification or recommendation to reinstate the modification.

Table 1: Staff Recommendations on potential reinstatement of the provincial modifications to the York Region Official Plan

Site #	Mod#	Modification	Status as of Bill 150	Staff Recommendation
1	14	"4.2.32 Special provisions for the lands known municipally as 3812 Major MacKenzie Drive West in the City of Vaughan (PIN 037541553). Notwithstanding any other policies in this plan to the contrary, the minimum building height permitted is 28 storeys."	Modification removed	<ul style="list-style-type: none"> • support removal of modification • this was subject to an OLT appeal and a decision was made on June 28, 2023 with max height of 19-storeys • OLT decision stands
2,3,4	14	"4.2.33 Special provisions for the lands in the City of Vaughan, located in the southwest quadrant of the intersection of Highway 400 and Rutherford Road, comprised of the following PINS: 032800301, 032800173, and 032800289. Notwithstanding any other policies in this plan to the contrary, the minimum density of 200 units per hectare applicable to the whole of the lands and a minimum building height of 18 storeys for any high density residential built form on the site."	Modification removed	<ul style="list-style-type: none"> • support removal of modification • lands are subject to an inactive OLT appeal • removal of modification is consistent with council adoption as this was not previously supported by Vaughan Council or York Region as an employment conversion
5	14	"4.2.34 Special provisions for the lands located in the City of Vaughan, at the northeast corner of Teston Road and Dufferin Street, comprising the following PIN: 033420387. Lands outside the Natural Linkage Area are intended to be added to the Urban Area, subject to an amendment by the Minister Municipal Affairs and Housing to Map 227 of Ontario Regulation 140/02 (Oak Ridges Moraine Conservation Plan)."	Modification removed	<ul style="list-style-type: none"> • support removal of modification • no council support for this modification

Site #	Mod#	Modification	Status as of Bill 150	Staff Recommendation
6	25	<p>Policy 5.3.4 is deleted in its entirety and replaced with</p> <p>"5.3.4 Special Provisions for the lands municipally known as 11333 Dufferin Street. Notwithstanding the policies of this section, the lands legally described as PIN 03342- 0266, PT LT 29 Con 2 Vaughan; PT LT 30 Con 2 Vaughan PTS 1 - 8 64R6003 Except PT 3 Expropriation PL R602558; SIT VA41581 Partially Released by R283556; SIT VA82915, Vaughan are intended to be developed for urban uses. The lands shall only be developed on the basis of full municipal services, an approved and registered draft plan of subdivision, and an approved implementing zoning by-law."</p>	Modification retained	<ul style="list-style-type: none"> • support retaining modification • 11333 Dufferin Street Is subject to a Minister's Order under the ORMCP for urban uses. That site has draft plan of subdivision and ZBA approval. The City entered into Minutes of Settlement in April 2022 to support urban development for these lands (11333 Dufferin St.) and other nearby lands (11641 Dufferin St. and 11490 Bathurst St.). Council's past actions are aligned with the Regional adopted policy
7	66	<p>Map 1A is modified by redesignating lands identified in Appendix 1 to this Decision, from the Agricultural Area the Rural Area in the City of Vaughan.</p>	Modification removed	<ul style="list-style-type: none"> • support removal of modification • inconsistent with Greenbelt Plan
8,9,10	75	<p>Map 1A is modified by redesignating lands from Employment Area to Community Area in the City of Vaughan, located in the southwest quadrant of the intersection of Highway 400 and Rutherford Road, comprised of the following PINS: 032800301, 032800173, and 032800289.</p>	Modification removed	<ul style="list-style-type: none"> • support removal of modification • lands are subject to an inactive OLT appeal • removal of modification is consistent with council adoption as this was not previously supported by Vaughan Council or York Region as an employment conversion

Site #	Mod#	Modification	Status as of Bill 150	Staff Recommendation
11,12, 13,14	76	Map 1A is modified by redesignating lands from Employment Area to Community Area in the City of Vaughan, known municipally as 132 Woodstream Boulevard, 144 Woodstream Boulevard, 154 Woodstream Boulevard and 166 Woodstream Boulevard	Modification removed	<ul style="list-style-type: none"> • support removal of modification • this employment conversion was not identified through the York Region Municipal Comprehensive Review (MCR)
15	79 v	by extending the station area boundary of PMTSA 65 Rutherford GO Station to the west, to include the property located on the southwest quadrant of the intersection of Keele Street and Rutherford Road, known municipally as 9222 Keele Street (PIN 032760813).	Modification removed	<ul style="list-style-type: none"> • support reinstatement of the modification to York Region Official Plan • this site should be part of the Major Transit Station Area (MTSA) due to its proximity to the Rutherford GO Station
16	79 ii	by deleting MTSA 35 Mulock GO, MTSA 47 Gormley GO, and MTSA 61 Kirby GO in their entirety.	Modification retained	<ul style="list-style-type: none"> • support removal of modification • removing modification will reinstate the Kirby GO MTSA which was approved by Vaughan Council
17	79 iv	by extending the station area boundary of PMTSA 56 Creditstone BRT south to Highway 407, between Creditstone Road and the boundary of PMTSA 67 Vaughan Metropolitan Centre Subway Station, in the City of Vaughan.	Modification removed	<ul style="list-style-type: none"> • support reinstatement of the modification to the York Region Official Plan • consistent with council approved boundary expansion study area of VMC Secondary Plan

Site #	Mod#	Modification	Status as of Bill 150	Staff Recommendation
18	79 iii	by deleting MTSA 72 Langstaff BRT, MTSA 73 Major Mackenzie BRT, MTSA 74 Norwood BRT, MTSA 75 Pennsylvania BRT, MTSA 76 Springside BRT, and MTSA 77 Vaughan Mills BRT, in their entirety.	Modification removed	<ul style="list-style-type: none"> • support removal of modification and request the Jane Street future MTSA's be upgraded to PMTSA's • Council previously approved the Jane Street MTSA's
Block 27,41	6	Section 3.2 is modified i) By revising the policy reference "5.3.7" to "5.3.5" in policy 3.2.5 e). ii) By adding a new policy: "3.2.9 Notwithstanding any policies to the contrary, active parkland and recreational uses are permitted within the linear river valleys identified in policy 5.3.5, which may include serviced playing fields and golf courses. The location, range and type of parkland uses permitted in the Rural Area will be determined by the local municipality through its official plan and/or approval of site-specific development applications. Golf course use and reconfigurations by Angus Glen Golf Courses is permitted within the Bruce Creek Greenbelt lands in the City of Markham."	Modification removed	<ul style="list-style-type: none"> • support reinstatement of the modifications to the York Region Official Plan with special reference to ROPA 7 which went through a full Planning Act process and was adopted by York Region Council • the affected lands in Block 27 and 41 are ready to proceed with draft plan approvals
Block 27,41	26	Policy 5.3.6 d) is deleted and replaced with the following: "5.3.6 d) Active recreational and parklands uses in accordance with the Greenbelt Plan, and implemented through local secondary plans and/or site specific development applications on the basis of appropriate	Modification removed	<ul style="list-style-type: none"> • support reinstatement of the modifications to the York Region Official Plan with special reference to ROPA 7 which went through a full Planning Act process and was adopted by York Region Council

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		technical studies and natural systems planning."		<ul style="list-style-type: none"> the affected lands are ready to proceed with draft plan approvals
Block 27, 41	27	Section 5.3 is modified by adding a new policy: "5.3.7 Notwithstanding any policies to the contrary, active parkland and recreational uses are permitted within the linear river valleys identified in policy 5.3.5, which may include serviced playing fields and golf courses. The location, range and type of parkland uses permitted in the Rural Area will be determined by the local municipality through its official plan and/or approval of site-specific development applications. Golf course use and reconfigurations by Angus Glen Golf Courses is permitted within the Bruce Creek Greenbelt lands in the City of Markham	Modification removed	<ul style="list-style-type: none"> support reinstatement of the modifications to the York Region Official Plan with special reference to ROPA 7 which went through a full Planning Act process and was adopted by York Region Council the affected lands in are ready to proceed with draft plan approvals

Financial Impact

The announcement about the intent to retract Provincial modifications to York Region Official Plan 2022 has impacted the Vaughan Official Plan Review timeline and scope. Any financial implications will be funded through existing approved budget.

Staff are reviewing information related to planning costs that may have been incurred by a municipality arising out of the provincial decisions which may be submitted to the Ministry outside of the 45-day window through municipal staff.

Operational Impact

There are no operational impacts associated with this report.

Broader Regional Impacts/Considerations

Any changes to the provincial modifications to the YROP 2022 as identified in the provincial Notice of Decision, would be reflective of YROP 2022 as approved by Regional Council, dated June 16, 2022.

Conclusion

In response to a Ministerial request on the Provincial modifications to YROP 2022 adopted by Region Council on June 16, 2022, City staff have analyzed and provided recommendation herein and is seeking approval from Vaughan Council.

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

Attachments

1. Attachment 1 – November 2, 2023, Letter from the Honourable Paul Calandra
2. Attachment 2 – November 4, 2022, Notice of Decision, Region of York 2022 Official Plan
3. Attachment 3 – Map of Vaughan Site-Specific Provincial Modifications

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