

COMMITTEE OF THE WHOLE (1) – JANUARY 21, 2025

STAFF COMMUNICATION

Distributed January 17, 2025

SC 1. Memorandum from the Deputy City Manager, Planning, Growth Management and Housing Delivery, dated January 16, 2025.

Subject

Application of York Region Official Plan 2022 to Planning reports.

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**STAFF COMMUNICATION
FOR INFORMATION ONLY**

SC 1

Staff Communication

CW(1) - January 21, 2025

DATE: January 16, 2025

TO: Mayor and Members of Council

FROM: Haiqing Xu, Deputy City Manager, Planning, Growth Management and Housing Delivery

**RE: STAFF COMMUNICATION – COMMITTEE OF THE WHOLE (1)
MEETING, JANUARY 21, 2025**

**APPLICATION OF YORK REGION OFFICIAL PLAN 2022 TO
PLANNING REPORTS**

1. Purpose

The purpose of this Staff Communication is to provide Mayor and Council information regarding the status of the York Region Official Plan 2022 (“**YROP 2022**”) and its continued application to the review of applications made pursuant to the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

2. Analysis

The YROP 2022 was approved with modifications by the Minister of Municipal Affairs and Housing on November 4, 2022.

Bill 23, *More Homes Built Faster Act, 2022*, introduced the concept of upper-tier municipalities without planning responsibilities which eliminates the planning functions of certain upper-tier municipalities. Bill 185, *Cutting Red Tape to Build More Homes Act, 2024*, introduced further amendments to the *Planning Act* which included naming the Regional Municipality of York as an upper-tier municipality without planning responsibilities as of the “effective date” of July 1, 2024.

Along with those amendments, Bill 23 introduced transition provisions with respect to upper-tier official plans for those municipalities impacted by the removal of their planning responsibilities. *Planning Act* subsection 70.13(2) provides that,

“[t]he portions of an official plan of an upper-tier municipality without planning responsibilities that are in effect immediately before the effective date and that apply in respect of any area in a lower-tier municipality are deemed to constitute an official plan of the lower-tier municipality, and this

official plan remains in effect until the lower-tier municipality revokes it or amends it to provide otherwise.”

As of July 1, 2024, those portions of the YROP 2022 that apply to the City of Vaughan are deemed to be an official plan of the City. To date, the City of Vaughan has not amended the YROP 2022 nor revoked it, therefore those portions of the YROP 2022 applicable to Vaughan continue to apply, and they continue to be referred to as the YROP 2022. There are therefore two official plans that are (or are deemed to be) of the City of Vaughan, that should be reviewed for *Planning Act* applications, namely the Vaughan Official Plan 2010 and the YROP 2022.

The transition provisions also state that where there is conflict, the portions of an official plan of the upper-tier municipality without planning responsibilities that are deemed to constitute an official plan of the lower-tier municipality, prevail over the lower-tier’s existing official plan. It is therefore necessary to apply both the YROP 2022 and the Vaughan Official Plan 2010 to the review of *Planning Act* applications to ensure that the application is in conformity with both. Where there is conflict between portions of these two official plans, the YROP 2022 prevails.

Given the continued application of the YROP 2022 to Vaughan presently, reviews of *Planning Act* applications, and reports prepared by Planning, Growth Management and Housing Delivery, will continue to consider the applicable YROP 2022 portions as part of the analysis, until such time as the City may resolve to amend or revoke the YROP 2022.

When Council adopts the City’s new Official Plan, as scheduled in April, 2025, staff may recommend that the YROP 2022 be revoked so that once the City’s new Official Plan takes effect, there will be no need to continue referencing YROP2022 in future staff reports.

For more information, contact Effie Lidakis, Deputy City Solicitor, Planning Law, ext. 8851.

Approved by



Haiqing Xu, Deputy City Manager,
Planning, Growth Management and
Housing Delivery