

## Committee of the Whole (1) Report

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**DATE:** Wednesday, April 7, 2021

**WARD(S):** 1 & 4

**TITLE:** YORK REGION'S REQUEST TO CONSIDER NEW MAJOR TRANSIT STATION AREAS (MTSA) ALONG JANE STREET AND EXPAND THE RUTHERFORD GO STATION MTSA  
**FILE 27.3**

**FROM:**

Jim Harnum, City Manager

**ACTION:** DECISION

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**Purpose**

To address York Region Council's request to consider Major Transit Station Areas (MTSA) along the Jane Street Corridor and the expansion of the Rutherford GO Station MTSA, Policy Planning and Environmental Sustainability have prepared six MTSA boundaries along the Jane Street Corridor and an expansion of the Rutherford GO Station MTSA for consideration by the Committee of the Whole.

**Report Highlights**

- York Region Council's decision on MTSA's includes two recommendations that requires input from Vaughan as outlined below:
  - Consider new MTSA's along the future Bus Rapid Transit (BRT) Jane Street corridor
  - Consider expansion of the Rutherford GO Station MTSA to include lands at Rutherford Road and Keele Street
- Vaughan Policy Planning and Environmental Sustainability (PPES) staff have prepared MTSA boundaries for six anticipated BRT stations along Jane Street from north of the Vaughan Metropolitan Centre to Major Mackenzie Drive
- Vaughan PPES staff support expanding the Rutherford GO MTSA boundary to include lands currently designated for intensification at the intersection of Rutherford Road and Keele Street
- For information, York Region Council supported the expansion of the Maple GO Station MTSA to include land on the east side of McNaughton Boulevard

## **Recommendations**

1. THAT Council endorse the Jane Street MTSA and direct City of Vaughan staff to work with York Region Planning staff to finalize the Jane Street MTSA boundaries and minimum density requirements for consideration by York Region Council to address the York Region Council recommendation to establish Major Transit Station Areas along the future Jane Street Bus Rapid Transit corridor.
2. THAT Council endorse the recommended Rutherford GO Station Major Transit Station Area boundary expansion that include the lands at the four quadrants of Rutherford Road and Keele Street.
3. THAT the Clerk be directed to forward a copy of this report to York Region.

## **Background**

Vaughan Council on March 11, 2020, approved the MTSA recommendations from the Committee of the Whole report dated March 9, 2020 and the MTSA recommendations were forward to York Region for consideration.

York Region Council on September 24, 2020, considered the MTSA recommendations by Vaughan Council and other municipalities and approved the following recommendation for MTSA within York Region:

1. Council endorse for inclusion in the Regional Official Plan update, the boundary delineations, minimum density targets and preliminary policy directions for the 72 major transit station areas identified in this report, except for those outlined below.
2. The Province be requested to approve alternative density targets for two Provincially required major transit station areas: Highway 407 Subway Station and King City GO Station.
3. Regional staff delineate boundaries and set density targets for the future MTSA stations along Jane Street in Vaughan and report back to Council for endorsement.
4. The Regional Clerk forward this report and attachments to the Ministry of Municipal Affairs and Housing and local municipalities.
5. That MTSA 57 (Rutherford GO station) be referred to the City of Vaughan for additional consideration of the boundaries and density and request a report back to the Region in Q1 2021.
6. That York Region Council support the expansion of the boundary of MTSA 58 for the lands around the Maple GO station to include the 2.87 hectare parcel of land

at the north east corner of Major Mackenzie Drive and McNaughton Road East in the City of Vaughan so that the lands can be considered in the context of supporting intensification around an existing GO station and which further supports the growth targets of the Region of York.

7. That MTSA 72 (Gormley GO station) minimum density target be set at 50 people and jobs per hectare

Recommendations 3, 5 and 6 listed above are new to Vaughan. These recommendations originate from the following:

- Recommendation 3 (MTSAs along Jane Street) was based on a request from York Region Committee of the Whole and Council
- Recommendation 5 (Rutherford GO Station MTSA) was based on a request to York Region from Amville Development, the owner of 9222 Keele Street (Attachment 1), to expand the MTSA boundary
- Recommendation 6 (Maple GO MTSA) was based on a request to York Region from York Major Holdings, the owner of 10,000 Dufferin Street (Attachment 2), to expand the MTSA boundary

York Region staff have been working cooperatively with Vaughan PPES staff regarding proposed MTSAs and have requested Vaughan Council's recommendations for the new Jane Street MTSAs and the expansion of the Rutherford GO Station MTSA.

As York Region Council has approved the expansion of the Maple GO MTSA, this report will outline the amendment for information purposes only.

***The Provincial Growth Plan identifies required MTSAs where funding has been allocated for the Project***

Under the Provincial Growth Plan for the Greater Horseshoe 2020 (Growth Plan), as amended, York Region in consultation with local municipalities is required to delineate boundaries and set minimum density targets for MTSAs located on Provincial Priority Transit Corridors as identified within Schedule 5 of the Growth Plan. The Corridors identified within the Growth Plan have either been constructed or have committed funds to construct the projects. York Region can request MTSAs for other Transit Corridors not included within the Growth Plan.

The Yonge North Subway Extension (YNSE) and the Jane Street BRT corridors are not identified within the Growth Plan as Provincial Priority Transit Corridors because construction funding has not been allocated.

York Region has identified MTSAs along the proposed YNSE because significant funding and actions have been undertaken regarding preliminary design and engineering works. The station locations have not been confirmed and there could be

further adjustments to the Yonge Street MTSA's once the final station locations have been finalized by the Province.

The Jane Street BRT is identified within the York Region and Vaughan Official Plans and within the future VIVA BRT system. Design and engineering studies have not been undertaken and construction funding has not been allocated for this project. City and York Region Planning staff did not put forward MTSA's for the Jane Street corridor because of the uncertainty with station locations and timing.

### ***Planning Act provides for the protection of MTSA's from LPAT Appeals***

The *Planning Act* restricts the appeals to the Local Planning Appeal Tribunal (LPAT) of certain official plan policies within an MTSA area. For MTSA's the following cannot be appealed in both York Region and City official plans:

- MTSA policies
- MTSA boundary delineations
- Minimum density target (Persons and Jobs per Hectare or 'PJH')
- Maximum densities and heights
- Approved Land Uses

The establishment of an MTSA provides Council with significant authority to set development standards that cannot be appealed to LPAT. The accuracy of a MTSA boundary is subject to the final delineation of station locations.

### **Previous Reports/Authority**

The following are links to previous reports considered by Vaughan Council and York Region Council regarding MTSA's.

March 11, 2020 Vaughan Council recommendation and report on MTSA's (Item: 7, Report No: 4.8) can be found at the following link <https://pub-vaughan.escribemeetings.com/Meeting.aspx?Id=4f840ccc-29f9-41a9-a3de-3dfc0d328e9d&Agenda=Agenda&lang=English>

September 24, 2020 York Region Council recommendation and MTSA report (F.2 & F.3) can be found at the following link <https://yorkpublishing.escribemeetings.com/Meeting.aspx?Id=3beab14e-3d48-42e3-8d7a-f98c8ebc94d3&Agenda=Merged&lang=English>

### **Analysis and Options**

#### **Proposed MTSA's are delineated along the Jane Street BRT corridor as per the York Region Council direction**

The York Region Council recommendation for the Jane Street MTSA's is:

“Regional staff delineate boundaries and set density targets for the future MTSA stations along Jane street in Vaughan and report back to Council for endorsement.”

The proposed BRT stations along Jane Street are from Highway 7 to Major Mackenzie Drive and shown on Attachment 3. The Jane Street corridor is identified by Vaughan Official Plan 2010 (VOP 2010) as a Primary Intensification Corridor and includes two Primary Centres: Vaughan Mills and Jane Street/Major Mackenzie Drive.

VOP 2010 identifies that the purpose of a Primary Intensification Corridor is to link various centres and accommodate mixed-use intensification or employment intensification. It also states Primary Centres are to accommodate a wide range of uses and will have tall buildings, as well as lower ones, to facilitate an appropriate transition to neighbouring areas.

The Vaughan Mills Primary Centre is a shopping destination of regional significance and includes residential intensification and includes a York Region Transit bus terminal. Over time it is anticipated that additional uses and intensification will occur throughout the entire Vaughan Mills Primary Centre area and the eventual redevelopment and intensification of the Vaughan Mills Mall.

The Jane Street and Major Mackenzie Drive Primary Centre is the site of the new Cortellucci Vaughan Hospital and is planned to evolve into a health care campus with associated community facilities, residential and business uses.

The current VOP 2010 designations along the Jane Street Primary Intensification Corridor and within the two Primary Centres includes policies, heights and densities that promote intensification and are supportive of planned public transit.

The proposed BRT project along Jane Street is identified by York Region Transit (VivaNext) as an unfunded project. York Region has identified the preliminary station locations at or near the intersections of Jane Street and the following intersections (south to north):

- Pennsylvania Avenue
- Langstaff Road
- Rutherford Road
- Springside Road
- Northwood Avenue
- Major Mackenzie Drive

The establishment of an MTSA boundary is determined by estimating an 800 metre walking distance from the BRT station and including lands within that walking distance that are anticipated or designated for intensification. Due to the uncertainty of Jane Street BRT station locations, the MTSA boundaries would be based on station location assumptions.

PPES staff did not previously put forward MTSA's along the Jane Street corridor because this corridor was not identified within the Growth Plan and the uncertainty with BRT station locations and funding commitment.

As set out in York Region Council's recommendations, Attachment 4 includes the draft MTSA boundaries for the 6 anticipated BRT stations along Jane Street. The draft boundaries have been prepared by Vaughan and York Region Planning staff.

The Growth Plan sets a minimum density target for BRT MTSA's at 160 persons and jobs per hectare (PJH). Vaughan and York Region staff will continue to refine the Jane MTSA boundaries and confirm the minimum density requirements to be included as part of York Region's Official Plan to be considered by York Region Council in Q4 2021.

**Vaughan PPES staff support the expansion of the Rutherford GO MTSA to include the four quadrants of Keele Street and Rutherford Road**

The York Region Council recommendation for the Rutherford GO MTSA is as follows:

“That MTSA 57 (Rutherford GO station) be referred to the City of Vaughan for additional consideration of the boundaries and density and request a report back to the Region in Q1 2021.”

The consideration for expansion of the Rutherford GO Station MTSA was initiated by a request from Annville Developments the owner of 9222 Keele Street at the southwest corner of Rutherford Road and Keele Street (Attachment 1). As the Amville Development request came after York Region's comment deadline, York Region Planning did not comment on the request.

The Rutherford GO MTSA boundary was considered by Vaughan Council on March 11, 2020 (Attachment 5). The boundary was established by considering lands within an 800 metre walking distance (10 minute walk) that can be considered for intensification or are currently intensified land-uses. The properties at the intersection of Rutherford Road and Keele Street were not originally included because they are approximately 950 metre walking distance to the GO Station and it was anticipated that the minimum density requirement of 150 PJH could be achieved within the proposed boundaries.

The VOP 2010 designation for the Rutherford GO Station lands is Mid-Rise Mixed-Use with a maximum height of 12-storeys and a density of 3.5 Floor Space Index (FSI). The Rutherford GO lands are being developed for a parking structure and no residential intensification is included within the development. The following note was included within the Rutherford GO Station MTSA considered by Vaughan Council on March 11, 2020 (Attachment 5):

“NOTE: The Rutherford GO station site was considered an intensification site in the Vaughan Official Plan 2010 (VOP 2010). As the GO station development is not currently intensified, the undeveloped lands within the proposed MTSA may require higher densities beyond the current VOP 2010 policies to meet the minimum density requirements through the Official Plan review “

The other major site that remains undeveloped within the Rutherford GO MTSA is located at the northwest corner of Rutherford Road and Peter Rupert Boulevard

(Attachment 6). These lands are designated in VOP 2010 as “Low-Rise Residential” and Zoning By-law Amendment (File Z.20.039) and Draft Plan of Subdivision (File 19T-20V008) applications have been submitted by the Owner, Block 18 Properties Inc., and Block 18 (Rutherford) Inc, for this 23 hectare parcel. The Owner proposes 260 dwellings (17 single detached units and 243 townhouse units) and is in conformity with the VOP 2010 designation. The anticipated population is 790 persons, and this equates to 34 PJH. In comparison, the minimum provincial target for an MTSA is 150 PJH.

Therefore, it does not seem that the minimum density target of 150 PJH for the Rutherford GO Station MTSA area will be met based on the March 11, 2020 approved boundary. There are two options available in this situation:

1. York Region can request the Province to support a lower minimum density for the MTSA.
2. Consider expansion of the MTSA beyond the 800 metre walking distance and include additional lands that are currently designated for intensification within VOP 2010.

Regarding the lower minimum density option, staff does not anticipate that the Province will support this position for the Rutherford GO Station MTSA due to the potential for intensification within the area.

PPES staff support the second option to expand the boundary for the Rutherford GO Station MTSA as shown on Attachment 6. The proposed expansion would extend to the intersection of Rutherford Road and Keele Street, to include the four corner properties.

The current VOP 2010 designations for the four quadrants of Keele Street and Rutherford Road promote intensification and are designated as follows:

- Northwest and Northeast quadrants: Residential Medium Density (maximums: Height, 8-storeys; FSI – 2.5)
- Southwest quadrant: Community Commercial (maximums: Height, 6-storeys; FSI – 2.0)
- Southeast quadrant: Employment Commercial Mixed Use (maximums: Height, 8-storeys, FSI - 2.5)

Attachment 6 includes the proposed expanded Rutherford GO Station MTSA area and an overlay with the existing VOP 2010 designations.

### ***York Region Council approved the expansion of the Maple GO MTSA***

The York Region Council recommendation as it pertains to the Maple GO MTSA is as follows:

“That York Region Council support the expansion of the boundary of MTSA 58 for the lands around the Maple GO station to include the 2.8 hectare parcel of land at the north east corner of Major Mackenzie Drive and McNaughton Road

East in the City of Vaughan so that the lands can be considered in the context of supporting intensification around an existing GO station and which further supports the growth targets of the Region of York.”

No action is being sought from the City of Vaughan.

As background, the expansion of the Maple GO MTSA was initiated by a request from York Major Holdings (“YMH”) Inc, (Attachment 2) the owner of the lands on the east side of McNaughton Road East and north of Major Mackenzie Drive.

These lands were not originally included within the MTSA because they are designated Private Open Space in the VOP 2010 and part of the Eagles Nest Golf Club lands. YMH is considering development opportunities for the lands, however no applications have been submitted to Vaughan.

With input from Vaughan PPES, the York Region Planning response to York Region Council was:

“While there is not opposition to this expansion request, as to date staff have not received sufficient information to confirm that the restrictions imposed by the former landfill can be addressed and thus the lands could be developed.”

York Region Planning staff included two MTSA options (Attachment 7); the original MTSA boundary and the expanded MTSA boundary.

York Region Council approved the expanded Maple GO MTSA boundary option.

### **Public Notice was provided for the Rutherford GO and Jane Street MTSA's**

The MTSA process is part of York Region’s Official Plan review (also known as Municipal Comprehensive Review) and public notice as per the *Planning Act* will be provided through this Official Plan process. In 2020, the proposed MTSA’s in Vaughan were posted on York Region’s MTSA website and a Vaughan/York Region public open house was held on March 4, 2020.

As the proposal is to introduce new Jane Street MTSA's and amend the Rutherford GO Station MTSA, the City circulated a notice for the Committee of the Whole meeting to all property owners within 120 m impacted by these proposed MTSA changes. This notice was also posted on the City’s web-site.

### **Financial Impact.**

There are no financial impacts resulting from this report. The MTSA policies applicable to Vaughan will be implemented and funded through the existing Official Plan Review budget.

### **Broader Regional Impacts/Considerations**

York Region has requested a response from Vaughan on the applicable MTSA matters.



## **Conclusion**

York Region Council requested the establishment of MTSA's along the Jane Street BRT corridor and to consider the expansion of the Rutherford GO MTSA. Vaughan PPES staff in consultation with York Region Planning staff have identified MTSA's for the Jane Street corridor and an expanded boundary for the Rutherford GO Station MTSA for Council's consideration.

**For more information**, please contact: Fausto Filipetto, Manager of Long-Range Planning at [Fausto.Filipetto@vaughan.ca](mailto:Fausto.Filipetto@vaughan.ca) or at 905-832-8585, extension 8699.

## **Attachments**

1. Request to York Region to expand Rutherford GO MTSA Station - Amville Development.
2. Request to York Region to expand Maple GO Station MTSA - York Major Holdings
3. Proposed BRT Stations along the Jane Street Corridor
4. Draft MTSA Boundaries along the future Jane Street BRT corridor
5. Rutherford GO Station MTSA as supported by Vaughan Council March 11, 2020
6. Proposed expansion of the Rutherford GO Station MTSA
7. York Region Planning letter regarding Maple GO Station MTSA expansion

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