

Committee of the Whole (2) Report

DATE: Tuesday, March 8, 2022

WARD(S): ALL

TITLE: REQUEST FOR COMMENTS: DRAFT YORK REGION OFFICIAL PLAN

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek Council endorsement of City staff comments on the November 11, 2021 Draft York Region Official Plan.

Report Highlights

- York Region is updating the York Region Official Plan through the Municipal Comprehensive Review process with an intended adoption date of mid-2022.
- York Region has requested that local municipal Councils submit comments on the draft York Region Official Plan by March 31, 2022.
- City staff is generally supportive of the proposed policies in the draft York Region Official Plan, subject to the comments identified herein and further clarification regarding roles and implementation tools.
- It is critical that York Region ensure the required capacities for water, sewer and transit infrastructure will be provided in a timely manner, to support the higher intensification target set by York Region that exceeds the minimum set out by the Growth Plan.
- City staff request that York Region clarify and revise Map 1A and Map 8 in the draft York Region Official Plan to ensure that Rural Areas, Hamlets and Secondary Mineral Aggregate Resource Areas in Vaughan are designated accurately.
- City staff suggest stronger policies to protect and restore natural systems and support sustainability.

Recommendations

1. That the City staff comments on the November 11, 2021 Draft York Region Official Plan, as summarized in this report and detailed in Attachment 1, be endorsed; and
2. That this report and Attachment 1 be forwarded to York Region as the City's comments on the Draft York Region Official Plan.

Background

Section 26 of the Planning Act requires York Region to update the York Region Official Plan

The *Planning Act* is provincial legislation that sets the rules for land use planning in Ontario and provides the basis for preparing official plans and planning policies at the municipal level. Section 26 of the *Planning Act* requires that an official plan be reviewed every 5 to 10 years to ensure conformity with Provincial plans and address changing local circumstances. York Region's current official plan, York Region Official Plan 2010 (YROP), was adopted by Council in 2009. It is required that regional municipalities bring their official plans into conformity with updated Provincial policies by July 1, 2022.

A Municipal Comprehensive Review is the planning process used to bring a regional official plan into conformity with Provincial plans and policies

Various policy matters have been updated in the Growth Plan and the Provincial Policy Statement, 2020 (PPS) which impact the Municipal Comprehensive Review (MCR) and require updates to the YROP. A critical policy consideration is outlined in Policy 2.2.1.5 of A Place to Grow: Growth plan for the Greater Golden Horseshoe, 2020 (Growth Plan) which states, "The Minister will establish a methodology for assessing land needs to implement this Plan, including relevant assumptions and other direction as required. This methodology will be used by upper- and single-tier municipalities to assess the quantity of land required to accommodate forecasted growth to the horizon of this Plan" (2051). Specifically, the methodology is used by municipalities to ensure there is an adequate supply of land to accommodate housing needs, support more jobs and attract business investment. It informs whether urban area boundary expansions are needed and the potential need for the conversion of employment lands to other land uses. The MCR process is undertaken in accordance with the Provincial land needs assessment methodology.

York Region is updating the York Region Official Plan, 2010 through the Municipal Comprehensive Review process

The MCR is a multi-year undertaking initiated by York Region in May 2014 to update the YROP, 2010. Due to reviews and subsequent amendments to Provincial plans (Growth Plan, Greenbelt Plan and Oak Ridges Moraine Conservation Plan) and the PPS, and delays in the release of the Provincial Land Needs Assessment methodology, the MCR was delayed. Ultimately, York Region Council approved a work plan for the MCR in 2018 and the project resumed.

The MCR requires York Region to undertake complex studies, and projects and includes extensive consultation and collaboration with the nine local municipalities

York Region identified a number of MCR strategy documents and background studies required to ensure conformity with the Growth Plan. Most of this work was undertaken between 2019 to 2021. Major undertakings as part of the MCR work include:

- Regional and Local Municipal Population and Employment Forecasts Update
- Regional Land Budget
- Intensification Strategy (including identification of targets and strategic growth areas and Major Transit Station Area analysis)
- Employment Strategy
- Housing Strategy
- Density Visualizations for New Community Areas and Intensification Areas
- Climate Change Initiatives such as a York Region Community Energy Plan as part of an overall Regional Climate Action Plan
- Infrastructure/Fiscal Integration (including fiscal impact analysis and updates to the York Region Transportation Master Plan and Water and Wastewater Master Plan)
- YROP Policy Review and Update

In Q2 2021, York Region circulated the preliminary draft of the YROP policies to lower-tier municipal planning staff for review and comment

City staff completed a review of the preliminary draft of the YROP policies and provided comments to Regional staff in late Q2 2021 for consideration in the preparation of the final draft. Additional work in several policy areas and mapping updates informed further reporting by Regional staff to York Region Council. This phase of work was completed in Q4 2021.

In Q1 2021, York Region released its Proposed 2051 Forecast and Land Needs Assessment report, and in Q3 2021 held a Special Council Meeting to present and

discuss alternative scenarios identified in the covering report. The timing of the draft YROP was dependent on York Region Council providing direction on the forecast presented at the Special Council Meeting in Q3 2021. At a Special Council Meeting in Q4 2021, York Region Council endorsed the staff recommendation of a phased 50-55% intensification scenario as the basis for the updated YROP.

York Region will continue engagement with the public, local municipalities, conservation authorities, Indigenous Communities, the Building Industry and Land Development Association (BILD) – York Chapter and other stakeholders until adoption of the YROP. The YROP is intended to be adopted by mid-2022.

The draft York Region Official Plan was brought to York Region Council in November 2021

On November 11, 2021, York Region Committee of the Whole was presented with the draft YROP for the purpose of review and ongoing engagement with local municipalities, conservation authorities, Indigenous Communities, BILD – York Chapter, and the public. During this time, ongoing work to incorporate Council's direction on the proposed 2051 forecast and land needs assessment was still being undertaken. To implement York Region Council's direction, Regional staff had to update mapping to include any modifications to designations, overlays and identifications and re-calculate the distribution of population, employment, and housing units to reflect the phased 50-55% intensification scenario, per the direction of York Region Council. A revised draft YROP, including revisions to Table 1: Local Municipal Population and Employment Forecasts, Table 6: Local Municipal Intensification Units, and applicable maps, was delivered to York Region Council on November 25, 2021.

York Region is soliciting comments on the draft York Region Official Plan from local municipalities by March 31, 2022

Consistent with the statutory requirements of the *Planning Act*, public and stakeholder consultation for the draft YROP will continue until Regional Council adopts its updated YROP, which is targeted for mid-2022. York Region has worked closely with local municipalities in the development and review of policy directions to ensure feasible implementation of Regional policies at the local level. As York Region continues to collaborate with local municipalities throughout the MCR process, York Region has requested that local municipal Council comments on the draft YROP be submitted by March 31, 2022 to ensure all comments can be considered and addressed prior to Regional Council adoption. This timeline is necessary to ensure York Region meets the Provincial deadline of July 1, 2022 to bring the YROP into conformity with updated Provincial policies.

Previous Reports/Authority

[Major Transit Station Areas, March 9, 2020](#)

[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, June 1, 2021](#)

[York Region Presentation on Proposed 2051 Forecast and Land Needs Assessment, May 12, 2021](#)

[Request for Comment York Region Proposed 2051 Forecast and Land Needs Assessment, June 8, 2021](#)

[Statutory Initiation of the Vaughan Official Plan Review 2051, October 13, 2021](#)

Analysis and Options

The draft YROP has restructured YROP 2010 to provide clearer policy direction and aid in the implementation of Regional policies at the local level

The draft YROP is organized into seven chapters and has a strong emphasis on the protection and enhancement of agricultural and natural systems, sustainable growth management, and complete communities. The seven chapters of the draft YROP are as follows:

- Chapter 1: Introduction and Purpose
- Chapter 2: The Foundation for Complete Communities
- Chapter 3: A Sustainable Natural Environment
- Chapter 4: An Urbanizing Region
- Chapter 5: Supporting the Agricultural System
- Chapter 6: Servicing Our Communities
- Chapter 7: Implementation of the Official Plan

City staff provide the following comments on the draft YROP released in November 2021 as set out in this report and Attachment 1. City staff recommend that such comments be endorsed and forwarded to York Region as the City's formal comments on the draft YROP.

City staff generally support the proposed changes to the York Region Official Plan

City staff is generally supportive of the proposed policies in the draft York Region Official Plan, subject to comments identified in this report and Attachment 1, and further clarification regarding roles and implementation tools.

The draft YROP includes updated mapping, strengthened policies to protect agricultural and natural systems and updates to the regional structure to accommodate projected population and employment growth. City staff comments were informed by on-going consultation between Regional and City staff.

City Staff Comments on the Draft York Region Official Plan

York Region has requested the City provide its comments on the draft YROP to York Region by March 31, 2022.

Additional clarification is needed on several policies to distinguish between the roles and responsibilities of the local municipalities and York Region

Clarification on the respective roles of the local municipalities versus York Region is needed in several policy areas to ensure efficient implementation at the local level. City staff recommend that all pertinent policies clearly identify whether they are directed solely to York Region, or to the local municipalities, or are shared responsibilities. For policies to be implemented at the local level, City staff request York Region provide further clarity on implementation tools and the obligations of the local municipality.

City staff support York Region's population and employment forecast to 2051 pertaining to the City of Vaughan, as set out in the draft YROP

It is the responsibility of York Region to establish population and employment forecasts to 2051 for its nine local municipalities. Vaughan Policy Planning staff brought a report to Council on June 8, 2021 detailing comments on the March 2021 Proposed 2051 Forecast and Land Needs Assessment. At the time, York Region was considering a 50% intensification scenario. York Region had forecasted that Vaughan would have a total population of 568,700 people and 352,000 jobs. City staff noted in the report that Vaughan's experience with growth over the past ten years shows the forecasted growth is likely to be met and exceeded.

In response to consultation between York Region and its local municipalities, York Region presented alternate 2051 forecast and land needs assessment scenarios. On October 21, 2021, York Region Council endorsed the York Region staff recommendation of a phased 50-55% intensification scenario to be incorporated into the draft YROP. Table 1 in the draft YROP has been updated to reflect the decision of York Region Council and Vaughan is forecasted to grow by 228,800 people and 111,400 jobs by 2051, bringing the total population to 570,400 people and 351,500 jobs. There is a minor increase to the forecasted population and employment numbers for Vaughan as a

result of the phased 50-55% intensification scenario. It is critical that York Region ensure the required capacities for water, sewer and transit infrastructure will be provided in a timely manner, in accordance with the higher intensification target set by York Region that exceeds the minimum set out by the Growth Plan.

It is important to note that the next statutory review of the YROP will be within 5 to 10 years wherein the intensification scenario can be revisited if necessary. As such, City staff support the population and employment forecast to 2051 developed for the City of Vaughan.

York Region's population and employment forecast for Vaughan will be partially implemented by bringing all remaining Whitebelt lands into the Urban Area

The Proposed 2051 Forecast and Land Needs Assessment report identified that 80% of York Region's Whitebelt lands will be needed to accommodate the planned growth and unit mix, and the remaining 20% will be needed to accommodate growth beyond 2051. The Proposed 2051 Forecast and Land Needs Assessment report states that "planning for 80% of the Whitebelt allows the Region to take a focused approach to planning for growth to 2051 and allows for leveraging of existing infrastructure investments, staging and phasing of new infrastructure, and growing in a financially sustainable manner". One of the intents is to provide for a variety of housing unit types which would meet the projected needs of future population growth out to 2051.

Of the total 3,400 hectares of Whitebelt lands in York Region needed to achieve the proposed urban expansion, York Region is moving forward with the decision to add all of Vaughan's remaining Whitebelt lands (1,210 hectares) as urban area to accommodate population and employment growth to 2051. The 2051 Forecast and Land Needs Assessment report notes that adding all of Vaughan's remaining Whitebelt lands into the urban area will support a population of 90,000 people and 40,000 jobs within the Whitebelt lands, while building upon existing strengths in transportation and warehousing in West Vaughan, and leveraging strong employment growth potential along Highway 427. It will also leverage the infrastructure investments of the existing downstream wastewater infrastructure that York Region has made over the past two decades.

Vaughan has a substantial number of Major Transit Station Areas that are planned to support significant growth and supported by policy updates in the draft YROP

Vaughan staff worked extensively with York Region to inform the Major Transit Station Area (MTSA) draft boundaries, as well as minimum population and employment

densities. A significant portion of the growth allocated to Vaughan will occur within its MTSAs. Section 4.4.2, Regional Corridors and Major Transit Station Areas in the draft YROP require local municipalities, such as Vaughan, to update their official plans and secondary plans to be consistent with the MTSA policies in the draft YROP. This section provides guidance to local municipalities to do so and specifies the roles and responsibilities for local municipalities to implement the Regional MTSA policies. This Section also emphasizes that development in MTSAs shall support the Regional intensification targets and make best use of York Region's infrastructure investments, while developing complete communities. The MTSA policies give local municipalities the flexibility to establish land use designations, building height requirements and transit-supportive densities that will aid in achieving the minimum density targets in each MTSA. Staff are supportive of these new MTSA policies in the draft YROP.

It is also important to note the delineation of MTSA boundaries, as well as the recommended densities, building heights, and land uses cannot be appealed to the Ontario Land Tribunal (OLT). The *Planning Act* restricts official plan and zoning appeals to the OLT for areas identified as MTSAs in both the regional and local official plans. The following matters cannot be appealed to the OLT:

- MTSA boundaries
- minimum number of residents and jobs per hectare
- minimum or maximum densities and building heights
- approved land uses

City staff request clarification and changes to Map 1A and Map 8 in the draft YROP

- City staff request clarification pertaining to properties designated as 'Rural Areas' on proposed Map 1A located within the Greenbelt Plan and Oak Ridges Moraine Conservation Plan. Prior to the proposed mapping updates in the draft YROP, Vaughan had only one site designated 'Rural Area' within the Agricultural System. The proposed updates to Map 1A designates lands in Vaughan as 'Rural Area' within the urban settlement area boundary. Clarification is needed from York Region to understand why additional lands outside of the linear river valleys of the Greenbelt Protected Countryside have been added to the inventory of Rural Areas on Map 1A.
- City staff request that the Hamlet designation be removed from proposed Map 1A for Purpleville. The heritage properties in the Purpleville Hamlet were removed from the *Listing of Property of Architectural and Historical Significance* in Spring 2020 after they were destroyed by fire. The Purpleville Wesleyan Methodist Cemetery is the only cultural heritage feature remaining in the landscape.

City staff also recommend updating Map 1A to add the Hamlet designation to Teston, located at the northeast corner of Teston Road and Jane Street. Teston has been identified as a cultural heritage landscape through the Block 27 Secondary Plan and the City of Vaughan Official Plan 2010.

- City staff request that Map 8 be amended by removing the ‘Secondary Mineral Aggregate Resource Area’ Designation from all lands located in the City of Vaughan due to the fact that all such lands are either developed with urban uses or are in proximity of uses that are incompatible with an aggregate extraction use.

Policy 5.1.8 should identify local municipalities as the approval authority for determining new non-agricultural uses

Policy 5.1.8 outlines criteria for limited new non-agricultural uses that may be permitted within the Agricultural System. As part of the criteria, completion of an Agricultural Impact Assessment (AIA) is required to the satisfaction of York Region. The current processes do not require York Region staff to review AIAs and City staff request clarification from York Region on this matter. Policy 5.1.8 should identify local municipalities as the approval authority for determining new non-agricultural uses.

Stronger policies regarding sustainability and green development standards should be incorporated into the YROP

An objective of the draft YROP, as outlined in Section 2.1, Regional Structure, is to “provide a framework for managing growth that protects the natural and agricultural systems, provides for complete communities and ensures economic vitality in a financially sustainable manner”. City staff recommend revising the language pertaining to sustainability in this chapter as the current references to the term ‘sustainability’ are limiting. City staff note that managing growth in a “financially sustainable manner” is not the main or only objective and that language regarding sustainability should be flexible to encompass the three pillars of sustainability: economic viability, environmental protection and social equity.

City staff recommend adding stronger policies requiring local municipalities to develop and implement green development standards. The draft YROP provides policies that require communities to be designed to the highest urban design and green development standards, however, it does not clearly identify the role of local municipalities to develop and/or implement green development standards. The Sustainability Metrics program, Vaughan’s Green Development Standards (GDS), was initiated in partnership with the cities of Richmond Hill and Brampton in 2013. The partnership was joined by Markham in 2020 and updates to the Sustainability Metrics were endorsed by Council in 2021. To

support policy implementation in local official plans, City staff recommends adding stronger language that references implementation tools for green standards at the local level, such as by-laws, financing mechanisms and incentives. This would encourage other regional municipalities to implement GDS and thereby achieve greater consistency across the region.

City staff is supportive of updated proposed housing policies, subject to further clarification from York Region

City staff is supportive of a new policy that requires a minimum of 1,000 new purpose-built rental units be developed region-wide on an annual basis. However, further clarification is needed regarding the strategies and incentives to implement the local municipal targets outlined in Table 2: Purpose Built Rental Target by Local Municipality. City staff note that given the barriers to financing and constructing purpose-built rental units, achieving the targets proposed in Table 2 will be challenging without clear direction and support from York Region. Continued work through the York Region/Local Municipal Housing Working Group is required to develop incentives and strategies to increase production of purpose-built rental developments.

City staff supports the need for strong policies that promote an appropriate mix and range of housing options, including affordable housing. City staff note that the minimum percent targets for new affordable housing units, both within and outside of Regional Centres and Major Transit Station Areas, remain challenging to implement and achieve. City staff request that York Region provide further clarification with reference to implementation tools for local municipalities to achieve the targets stated in the draft YROP.

A definition of “affordable housing” that does not differentiate between dwelling types and is calculated at a Region-wide scale often results in a low affordable ownership threshold, limiting the number of market units that meet this threshold. If possible, and within the parameters of the provincial definition of “affordable housing”, City staff recommend York Region consider different affordable ownership thresholds for various dwelling types, such as high-density and ground-related, applied to the market area of a local municipality.

City staff request York Region develop standard excess soil reuse strategies for all local municipalities and revise Policy 2.5.1 accordingly

The draft YROP includes Section 2.5: a new section on managing excess soil from development. The objective of Section 2.5 is to “work with conservation authorities and local municipalities to protect human health and the environment through the

management of excess soil”. Policy 2.5.1 states “that local municipalities should develop excess soil reuse strategies as part of planning for growth and development”. City staff encourage York Region to work with local municipalities to develop an excess soil guideline/strategy, to aid in the regulation of excess soils at the local municipal level. Furthermore, City staff recommend measures pertaining to the reuse of excess soil be included as Engineering Standards.

Cultural Heritage policies should be updated to reflect the outcome of recent consultation with the Mississaugas of the Credit First Nation for the Vaughan Official Plan Review

City staff has been engaging with Vaughan’s Indigenous Peoples since early in the Vaughan Official Plan Review (OPR) process to inform the OPR. It is the role of York Region to undertake its own engagement with Indigenous Peoples for the purposes of the MCR. That being said, City staff recommends the following revisions to the draft YROP, Section 2.4, Cultural Heritage (formerly Section 3.4), based on consultation between Vaughan and Mississaugas of the Credit First Nation (MCFN) for the OPR.

1. First Nation and/or Metis should be contacted and informed at Stage 1 archaeological assessments. The current draft policies identify consultation at a Stage 2, however, MCFN has advised the City they would like to be engaged earlier in the process.
2. Policies with respect to Stage 4 archaeological assessments are not included in the draft YROP and should be added. City staff recommend local municipalities be informed when a Stage 4 archaeological assessment is required.
3. The language in the preamble and subsequent policies of Section 2.4 should be revised to ensure treaty rights and interest holders are differentiated, as per MCFN’s advisement.

City staff request that York Region provide further guidance to local municipalities on Indigenous engagement protocols and processes.

Stronger policies to protect and restore natural systems need to be considered

Proposed updates to policy 3.4.2.6 set the criteria for identifying significant woodlands. The 4-hectare threshold for significant woodlands in the Countryside designation means woodlands currently in the Oak Ridges Moraine Conservation Plan (ORMCP) would be eliminated. City staff recommend setting a threshold that would include and protect more woodlands. City staff recommend the criteria for woodlands that will not be considered significant, as outlined in proposed Policy 3.4.2.7, be removed or revised to allow more woodlands to be considered significant.

City staff note the focus of this policy section 3.4.2 should be to restore woodlands that meet a certain size threshold, including woodlands that have been negatively impacted due to invasive species or other factors. City staff recommend referring to the PPS, ORMCP Technical Papers, and Ecological Land Classification for guidance on defining woodlands to include more woodlands. Additionally, City staff recommend adding a policy to section 3.4.2 encouraging local municipalities to develop their own woodland compensation plan using York Region's principles outlined in section 3.4.2.

The Environmental Impact Study requirement for community gardens in proposed policy 3.2.5 should be removed as it would be onerous and discourage urban agriculture in Vaughan

Proposed updates to policy 3.2.3 states "that development and site alteration be prohibited within the Regional Greenlands System". Notwithstanding policy 3.2.3, policy 3.2.5 outlines uses that may be permitted in the Regional Greenlands System, subject to meeting requirements of the applicable Provincial plans. Policy 3.2.5 refers to community gardens as a permitted use so long as the community garden is in accordance with an approved Environmental Impact Study (EIS). City staff request the reference to community gardens be removed from policy 3.2.5 as requiring an EIS would be onerous for City staff and would discourage non-profit organizations and agencies from implementing urban agriculture in the City.

Financial Impact

There is no financial impact.

Broader Regional Impacts/Considerations

The proposed changes to the YROP will have direct implications on the nine local municipalities as each of the local municipal official plans must conform to the updated YROP once approved.

Conclusion

York Region is required to bring its official plan into conformity with Provincial plans and policies by July 1, 2022. A high-level assessment of the November 2021 draft of the YROP is provided in the body of this report, and City staff's detailed March 2021 comments are provided in Attachment 1. City staff is generally supportive of the proposed policies in the November 2021 draft of the YROP, subject to the comments

outlined in the body of this report and Attachment 1. City staff recommend that this report and Attachment 1 be forwarded to York Region as the City's comments on the November 2021 draft of the YROP. City staff will continue to engage with York Region and support the development of the draft YROP through the Municipal Comprehensive Review process until the YROP is adopted in mid-2022.

For more information, please contact: Fausto Filipetto, Senior Manager of Policy Planning and Sustainability, extension 8699.

Attachments

1. City of Vaughan Comments on Draft York Region Official Plan, City of Vaughan, March 2022

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