



Chapter

8

Implementation of the Official Plan



In this chapter:

- 8.1 Engagement and Partnerships
- 8.2 Monitoring and Measuring Success
- 8.3 The Planning Process
- 8.4 Interpreting this Plan

The Regional Municipality of York

Official Plan


York Region



Office Consolidation - April 2016

8.0 | Implementation of the Official Plan

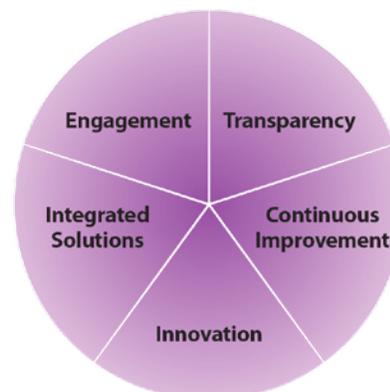


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Implementation Principles



Sustainability is the guiding principle of the York Region Official Plan. Each decision York Region makes should produce value and positive outcomes within the economy, community and environment. The Region will provide leadership by applying the policies of this Plan fairly and equitably.

The primary goal in implementing the policies of this Plan is to ensure resiliency and the ability to adapt to changing economic and environmental conditions and increasing social diversity. The effectiveness of this Plan is contingent upon:

- applying innovative approaches and integrated solutions to decision-making processes
- regular monitoring of policies
- co-ordinating with the public, governments, agencies, and the development industry to ensure proactive implementation, consensus-building, accountability and transparency
- co-ordinating human services delivery and infrastructure investment with population and employment growth

York Region Sustainability Strategy: Towards a Sustainable Region **Guiding Principles for Implementation**

- Provide a long term perspective on sustainability
- Evaluate using the triple-bottom-line elements of environment, economy and community
- Create a culture of continuous improvement, minimizing impact, maximizing innovation and increasing resiliency

- Identify specific short-term achievable actions that contribute towards a sustainability legacy
- Set targets, monitor and report progress
- Foster partnerships and public engagement
- Create a spirit of stewardship, shared responsibility and collaboration
- Raise the level of sustainability awareness through education, dialogue and reassessment
- Promote sustainable lifestyles and re-evaluation of our consumption and expectations ■■■

► 8.1 Engagement and Partnerships

York Region is committed to engaging its diverse population and strengthening community inclusivity to help ensure a stronger Plan. Through extensive engagement and effective partnerships, the Region's policies, strategies and operations will continue to respond to the unique needs of residents and businesses.

► **Objective: To continuously engage and partner with communities, stakeholders and other levels of government.**

It is the policy of Council:

8.1.1 To consult in a timely manner with the public and the Province where required to ensure an accountable and transparent government.

8.1.2 To provide sufficient information about amendment applications and engage the public using methods including public meetings, information centres, open houses, stakeholder workshops, newspaper, radio and television advertising, e-mail, internet, telephone and written correspondence.

8.1.3 To engage, consult and partner, as appropriate, with First Nations and Métis Nation communities when considering planning applications and studies that may affect their interests.

8.1.4 To ensure public meetings and materials are accessible for people with disabilities.

► 8.2 Monitoring and Measuring Success

Comprehensive monitoring will help York Region measure the success of this Plan. Monitoring also allows the Region to respond to new trends and to continuously improve the effectiveness of this Plan. Ongoing monitoring and assessment will:

- identify emerging trends and related issues that could impact the relevancy of the policies in this Plan
- analyze the effectiveness of the policies and strategies within this Plan and other Regional initiatives
- provide the basis for adjustments and updates where required

- **Objective:** To ensure policy directions in this Plan are successfully implemented to improve the economy, environment and community.

It is the policy of Council:

8.2.1 To develop a series of indicators to measure success, based on the three themes of this Plan.

8.2.2 To produce regular monitoring reports that measure the success of this Plan.

8.2.3 To develop, in co-operation with local municipalities, common measuring and reporting tools to monitor progress towards targets established in this Plan, including:

- a. a minimum of 40 per cent of all residential development will occur within the built-up area as defined by the Province's Built Boundary in Places to Grow: Growth Plan for the Greater Golden Horseshoe, by 2015 and each year thereafter;
- b. an average minimum density that is not less than 50 residents and jobs per hectare in the *developable area* within the York Region *designated greenfield area*;
- c. a minimum 25 per cent new *affordable* housing units across the Region;
- d. a minimum density of 2.5 *floor space index* per development block in the Regional Centres;
- e. a minimum density of 3.5 *floor space index* per development block at, and adjacent to, the Vaughan Metropolitan Centre Station on the Spadina Subway Extension, and the Langstaff/Longbridge and Richmond Hill Centre Stations on the Yonge Subway Extension;
- f. energy and water efficiency standards and other sustainable building policies in this Plan; and,
- g. a minimum woodland cover of 25 per cent of the Region's total land area.

8.2.4 To conduct comprehensive reviews of this Plan at least every 5 years to ensure:

- a. the policies and targets of this Plan are being met;
- b. the objectives and policy directions remain realistic and appropriate with regard to changing social, economic, environmental and technological circumstances;
- c. *intensification* and density targets are being met or exceeded;
- d. this Plan conforms with Provincial Plans;
- e. progress is being made towards sustainability, including energy and water efficiency, and waste reduction;
- f. the protection of agricultural and rural lands; and,
- g. the enhancement of natural heritage systems.

8.2.5 That in the monitoring and review of this Plan, local official plans, subdivision applications and other planning approvals, the Region will consider commencing a *municipal comprehensive review* for settlement area expansion purposes earlier than a 5 year time frame based on, among other things, the:

- a. pace of growth and the *developable area* land supply of residential and non-residential lands;
- b. timing and delivery of capital infrastructure;

- c. achievement of targets established in this Plan;
- d. applicable Growth Plan and Regional Official Plan forecasts; and,
- e. changes in factual information and legal regulations that impact the above.

8.2.6 To develop and maintain Regional information systems.

8.2.7 That monitoring shall occur to ensure infrastructure is co-ordinated with the phasing of *new community areas*. Regular status reports will be provided on the pace of growth, timing of infrastructure, and the impact of *development* phasing on the Region's capital works plans.

8.2.8 To develop an effective and publicly accessible data management system for natural heritage and water systems within the areas of the Oak Ridges Moraine Conservation Plan, the Greenbelt Plan and the Lake Simcoe Protection Plan in partnership with the Province and other stakeholders.

▶ 8.3 The Planning Process

The Regional Official Plan sets the strategic policy framework for the structural elements of York Region. Local official plans shall establish policies that refine the policies of this Plan. Within this mutually supportive framework, a clear and effective planning process can be established.

An effective and efficient development review process is essential to the successful implementation of this Plan. This review process includes working with partners and stakeholders to achieve excellence in planning and implementation, which includes:

- ensuring positive outcomes for the economy, community and environment
- ensuring that new development meets or exceeds the energy and water efficiency standards specified in this Plan
- emphasizing excellence in urban design and transit-oriented development; and to ensure a diversity in housing types and affordability
- involving interested stakeholders at the outset of the review process to ensure that concerns and requirements are identified and addressed

▶ **Objective: To ensure that the planning process is conducted in a transparent and timely manner.**

It is the policy of Council:

8.3.1 To work with communities, agencies, local municipalities and the Province to better co-ordinate the planning review process by such measures as engaging stakeholders early in the process, eliminating duplication, co-ordinating reviews, simplifying procedures and resolving conflicts.

8.3.2 That local official plans and comprehensive zoning by-laws shall be brought into conformity with this Plan in a timely manner.

8.3.3 To support local official plan and secondary plan policies that are more specific or restrictive than this Plan, provided such policies are consistent with the general intent and provisions of this Plan and applicable Provincial Plans. Policies on agriculture, mineral aggregate and wayside pits may not be more restrictive than the Oak Ridges Moraine Conservation Plan or the Greenbelt Plan.



8.3.4 To consider the following factors in determining conformity between this Plan and local official plans:

- a. conformity with Provincial Plans, statutes, and regulations;
- b. consistency between the overall direction and long term objectives of the local official plan and those of this Plan; and,
- c. reasonable efforts in the local official plan to accommodate matters encouraged by the policies of this Plan, or to provide a statement indicating why such a policy direction is not appropriate in the local context.

8.3.5 That the following timeframe targets shall be used in the review of local official plans and amendments:

A request for exemption from Regional approval as per policy 8.3.8 of this Plan	20 days
A minor or routine matter with no adverse Regional implications and no objections (staff-delegated approval authority)	30 days
A regionally significant local official plan or official plan amendment	180 days

8.3.6 To use the Community Improvement provisions of the Planning Act to implement the policies of this Plan. In doing so, the Region may:

- a. designate any part of the Region as a Community Improvement Project Area;
- b. enact a Regional Community Improvement Plan that utilizes incentive programs including making grants or loans within the Community Improvement Plan Area either to registered property owners or to local municipalities; and,
- c. participate in a Community Improvement Plan of a local municipality.

8.3.7 That York Region may use Community Improvement Plans for:

- a. infrastructure that is within York Region’s jurisdiction;
- b. land and buildings within and adjacent to existing or planned transit corridors that have the potential to provide a focus for higher density mixed-use development and redevelopment; and,
- c. affordable housing.

8.3.8 That amendments to local official plans may be exempt from Regional approval where they are of local significance and no Regional interest is adversely affected.

Amendments impacting any one of the following areas are not eligible for exemption:

- a. applications directly and substantially affecting Regional servicing infrastructure: i.e., streets, water, wastewater;
- b. applications that substantially change Regional capital forecasts;
- c. urban boundary expansions;
- d. applications for employment land conversion;
- e. major applications that will adversely affect Regional traffic flows;

- f. major secondary plans;
- g. retail applications having a Regional impact;
- h. applications which are not consistent with the Provincial Policy Statement or Places to Grow: Growth Plan for the Greater Golden Horseshoe;
- i. applications within the Regional Greenlands System;
- j. applications with cross-boundary impacts;
- k. applications in the Parkway Belt West Plan;
- l. applications within the Oak Ridges Moraine and Greenbelt, outside of Towns and Villages and the Urban Area shown on Map 1;
- m. applications subject to the Lake Simcoe Protection Plan outside of settlement areas as set out in that Plan; or,
- n. applications that have had a statutory public meeting.

8.3.9 To prepare, in consultation with the public and local municipalities, strategies, *guidelines* and documents to facilitate the implementation of the policies of this Plan.

*This Plan will be supported by various strategies, **guidelines** and other documents. While non-statutory and non-mandatory in nature, these documents provide guidance to assist with the implementation of the goals, objectives, policies and overall vision of the Official Plan. The following are examples of some of these documents:*

- *Transit-Oriented Development Guidelines*
- *New Communities Guidelines*
- *Affordable housing implementation framework*
- *Guidelines for Regional Centres and Corridors* ■■■

8.3.10 To co-ordinate planning efforts with surrounding municipalities so that natural heritage systems and corridors, water and wastewater services, streets, transit, utilities and communities are linked across Regional boundaries.

8.3.11 That amendments to this Plan shall be guided by the following:

- a. the need for the proposed change;
- b. the effect of the proposed change on the need for Regional services and facilities;
- c. the implications that the amendment may have for other parts of this Plan;
- d. the impact of the proposed change on the ability of the Region to achieve the goals, objectives and policies expressed in this Plan, or on other Regional policies, programs or interests; and,
- e. the Provincial Policy Statement and other applicable Provincial Plans, statutes and regulations.

8.3.12 To determine whether an application to amend this Plan is complete, the following will be required:

- a. a completed Regional Official Plan Amendment application form;
- b. the current application fee;
- c. a draft of the proposed amendment, including the proposed text and all proposed schedules;



- d. at least one pre-application meeting to determine the required information and materials; and,
- e. other requisite information and materials as determined through the pre-application meeting(s).

8.3.13 That Table 3 below contains a list of studies that may be required to properly evaluate the proposed amendment. The required studies will be determined in consultation with the applicant during the pre-application meeting.

8.3.14 That for an amendment application that has been deemed complete, additional reports and studies may be identified and required. These additional requirements do not affect the original complete application date.

8.3.15 That all Regional studies required in this Plan be included in local municipal official plan complete applications listings.

Table 3 - Possible Regional Planning Studies Required to Evaluate a Proposed Amendment to this Plan

Planning Studies	Circumstance
Archaeological Assessment	<i>Development on lands containing significant or potentially significant archaeological resources</i>
Agricultural Impact Study	<i>Non-agricultural development within the Greenbelt</i>
Contaminant Management Plan	<i>Major development within highly vulnerable aquifers</i>
Earth Science Heritage Evaluation	<i>Development within the minimum area of influence of an earth science area of natural or scientific interest</i>
Environmental Impact Statement	<i>Development within 120 metres of the Regional Greenlands System but outside of the Oak Ridges Moraine and the Greenbelt</i>
Greenbelt Plan Conformity	<i>Development within the Greenbelt</i>
Hydrological Evaluation	<i>Development within 120 metres of a key hydrological feature on the Oak Ridges Moraine or Greenbelt</i>
Infiltration Management Plan	<i>Major development within significant groundwater recharge areas</i>
Lake Simcoe Protection Conformity Plan	<i>Development with the Lake Simcoe watershed</i>
Landform Conservation Area Plan	<i>Development on landform conservation areas within the Oak Ridges Moraine</i>
Mineral Aggregate Study	<i>Development within and/or adjacent to mineral aggregate resources</i>
Natural Heritage Evaluation	<i>Development on or within 120 metres of a key natural heritage feature on the Oak Ridges Moraine, or the Natural Heritage System of the Greenbelt, or the Lake Simcoe watershed outside the Greenbelt or Oak Ridges Moraine planning areas and existing settlement areas</i>
Oak Ridges Moraine Conservation Plan Conformity	<i>Development within the Oak Ridges Moraine</i>
Planning Justification	All Regional Official Plan Amendment applications
Regional Impact Analysis	Applications for retail spaces greater than 30,000 square metres of gross leasable area
Source Water Impact Assessment and Mitigation Plan	<i>Development within wellhead protection areas and intake protection zones</i>
Transportation Study	All Regional Official Plan Amendment applications
Water and Wastewater Servicing Plan	All Regional Official Plan Amendment applications

8.3.16 That if approval of a draft plan of subdivision lapses, opportunities for achieving the growth management targets established in policy 8.2.3 of this Plan shall be considered as part of the development review process.

8.3.17 That if a plan of subdivision or part thereof has been registered for eight years or more, and does not meet the growth management targets established in policy 8.2.3 of this Plan and does not conform to the policies of this Plan, Regional Council or the Council of the respective local municipality shall use its authority under Section 50(4) of the Planning Act to deem it not to be a registered plan of subdivision.

8.3.18 That Regional Council or the Council of the respective local municipality shall require that approvals of draft plans of subdivision include a lapsing date in accordance with Section 51(32) of the Planning Act.

► 8.4 Interpreting This Plan

The following provides a guide for the interpretation of individual policies of this Plan.

► **Objective: To provide clarity in the interpretation of this Plan.**

It is the policy of Council:

8.4.1 That the goals, objectives, policies, Tables 1, 2 and 3, Definitions and Maps contained herein constitute the York Region Official Plan. Chapter 1, other tables, graphics, text contained in the sidebars [now depicted as inline text preceded by blue vertical bar] and introductory text of each section in this Plan, and Figures 1, 2 and 3 are intended to be illustrative and are provided for information only. Unless otherwise specified in this Plan, any deviation from these provisions is prohibited or will require an amendment to this Plan.

8.4.2 That all policies of this Plan must be considered together to determine conformity. Individual policies should not be read or interpreted in isolation.

8.4.3 That the boundaries and facilities identified on Maps 1 to 12 are intended to indicate the general location. Exact boundaries shall be defined in local official plans and zoning by-laws, except in the following cases:

- a. the boundary of the Oak Ridges Moraine Conservation Plan and the Greenbelt Plan. In this case, the boundary may only be clarified through reference to the applicable Provincial Regulations; and,
- b. the boundaries of the Urban Area identified on Map 1, are fixed where they are identified by a municipal street, rail line, parcel fabric as it exists on the day of adoption of this Plan, lot and/or concession blocks, or, other clearly identifiable physical features.

8.4.4 That amendments to land use designations will only be considered within the Oak Ridges Moraine Conservation Plan Area:

- a. as part of a provincial review of that Plan;
- b. as provided for in the Oak Ridges Moraine Conservation Plan and the Oak Ridges Moraine Conservation Act, 2001, as amended; or,
- c. within Urban Areas of Towns and Villages.



8.4.5 That notwithstanding policy 8.4.4 of this Plan, technical amendments to correct mapping errors within the Oak Ridges Moraine Conservation Plan Area are permitted in accordance with policy 8.4.13.

8.4.6 That amendments to the Protected Countryside of the Greenbelt Plan will not be considered unless part of the provincial review of that Plan in 2015, except as provided for in the Greenbelt Plan or the Greenbelt Act, 2005.

8.4.7 That as input to the 2015 review of the Oak Ridges Moraine Conservation Plan and the Greenbelt Plan, the Region, in consultation with the local municipalities, will monitor and review:

- a. the availability of strategically located employment lands and determine whether there is a need to consider re-designation of lands for employment. Factors that will be considered in this review include the balance of employment and residential opportunities, access to services, and access to 400-series highways; and,
- b. the designation of the Agricultural Area and the Rural Area in this Plan and in local municipal official plans.

8.4.8 That should Provincial Plans be amended as a result of the review in policy 8.4.7 of this Plan, this Plan and local municipal official plans shall be amended accordingly.

8.4.9 That nothing in this Plan prevents local municipal official plans and zoning by-laws from being more restrictive.

Notwithstanding the above, neither this Plan nor local municipal official plans or zoning by-laws may be more restrictive than the Greenbelt Plan or the Oak Ridges Moraine Conservation Plan Areas insofar as agricultural uses, mineral aggregate operations and wayside pits are concerned.

8.4.10 That the boundaries and policies of the Parkway Belt West Plan as amended, take precedence over the designation shown on Map 1 of this Plan. Where the Parkway Belt West Plan is amended to remove lands, the Regional land use designation of the abutting lands outside of the Parkway Belt West Plan will apply without amendment to this Plan.

8.4.11 That in the case of a discrepancy between the text and the related map, the policies will take precedence.

8.4.12 No amendment to this Plan is required to construct new or expanded infrastructure subject to and approved under the Environmental Assessment Act which considers the sustainability and growth management objectives of this Plan and is in conformity with Provincial Plans.

8.4.13 That an amendment to this Plan is not required and changes may be made during office consolidations for:

- a. additions or deletions to the Region's area and application of the land use designation of the abutting lands, when the addition is a result of realignments to provincial highways or Regional boundary streets;
- b. altering the numbering and arrangement of provisions in this Plan;
- c. updating the base mapping used in this Plan or adding base information to maps to show existing and approved infrastructure;

- d. updating environmental Maps 2 through 5 in accordance with the policies of Section 2.2 of this Plan;
- e. correcting clerical, grammatical, spelling and technical mapping errors;
- f. changing format or presentation; or,
- g. altering punctuation to obtain a uniform mode of expression.

Transition

8.4.14 That all planning decisions shall conform to the Provincial Plans and shall be consistent with the Provincial Policy Statement, subject to applicable Provincial transition provisions.

8.4.15 That legally existing land uses that conform with in-force local official plans, zoning by-laws and *Ministerial Zoning Orders*, at the time this Plan is approved, are permitted to continue to the extent provided for in the local official plans and zoning by-laws and *Ministerial Zoning Orders*.

8.4.16 That all official plans and zoning by-laws and amendments thereto shall be brought into conformity with this Plan, except as provided for in policies 8.4.17 through 8.4.20 of this Plan.

8.4.17 That applications for draft plans of subdivision and condominium, consents, zoning, site plans or minor variances, which are complete as of the date of approval of this Plan and that conform with in-force local official plans are required to conform only with the policies in-force at the time of the complete application, until the date this Plan is amended pursuant to the next comprehensive review. Notwithstanding the above, the consideration and approval of such applications by York Region shall also be based on the Transit and Transportation policies in Section 7.2 of this Plan and Transit Network and Street rights-of-way shown on Maps 11 and 12 of this Plan, except as otherwise provided for in Minutes of Settlement in accordance with policies 8.4.19 and 8.4.20 of this Plan.

8.4.18 That the provisions of this Plan represent Council's opinion of best planning practices, and accordingly, proponents with applications that meet the requirements of 8.4.17 above, are encouraged but not required to work with the Region and local municipalities to make those applications meet the objectives and policies of this Plan.

8.4.19 Within the following secondary plan areas, where time-limited and area-specific Minutes of Settlement have been executed prior to the approval of this Plan, applications submitted before or after the date of approval of this Plan, for draft plans of subdivision and condominium, consents, zoning, site plans or other approvals, which conform with the in-force secondary plan as finally approved by the Ontario Municipal Board or approval authority or as otherwise provided by the Minutes of Settlement, are deemed to conform with this Plan:

- a. Aurora 2C Secondary Plan Area (OPA 73);
- b. Nashville Heights Secondary Plan (OPA 699);
- c. David Dunlap Observatory Secondary Plan (OPA 270); and,
- d. North Leslie Secondary Plan Area (OPA 257).



8.4.20 That the following site-specific planning applications and subsequent planning applications referenced in area-specific Minutes of Settlement, executed prior to the approval of this Plan, are deemed to conform to this Plan provided that they conform to the Minutes of Settlement and any secondary plans applicable and in-force at the date of execution of the Minutes of Settlement:

- a. Helmhorst Investments Ltd. - 19T03V13 (Vaughan);
- b. Times Development Group - 19T07M03 (Markham);
- c. Loblaw Properties Limited - ZBA 215-06 (Richmond Hill);
- d. Loblaw Properties Limited - OPA 147, ZBA 2006-6 and ZBA 2006-7 (Markham); and,
- e. SmartCentres and Calloway Real Estate Investment Trust (Vaughan).

8.4.21 With respect to the parcels referenced in the site-specific Minutes of Settlement set out below, the policies set out in Section 4.3 and 4.4 and related policies and definitions of this Plan will be implemented as specified therein:

- a. SmartCentres - Minutes of Settlement executed September 6, 2012 regarding Aurora North and Box Grove.

8.4.22 With respect to the parcels referenced in the site specific Minutes of Settlement set out below, policy 3.5.7 of this Plan will be implemented as specified therein:

- a. Yonge Bayview Holdings Inc.

Greenbelt Plan

8.4.23 That existing uses and residential dwellings on existing lots of record in the Greenbelt are subject to Section 4.5 of the Greenbelt Plan.

8.4.24 That in the Greenbelt Plan Area, where a local municipal official plan was amended prior to December 16, 2004 to specifically designate land uses, the approval may continue to be recognized through the municipal Greenbelt conformity exercise and further applications required under the Planning Act or Condominium Act to implement the official plan approval are not required to conform to the Greenbelt Plan and are permitted in this Plan.

8.4.25 That where a local municipal zoning by-law was amended prior to December 16, 2004 to specifically permit land use(s), the approval may continue to be recognized through the municipal Greenbelt conformity exercise and any further applications required under the Planning Act or Condominium Act, 1998 to implement the land use permitted by the zoning by-law are not required to conform to the Greenbelt Plan.

Applications to further amend the site-specific official plan or zoning by-law permissions referred to above for uses similar to or more in conformity with the provisions of the Greenbelt Plan are also permitted. All such applications should, where possible, seek to achieve or improve conformity with the Greenbelt Plan.

Oak Ridges Moraine Conservation Plan

8.4.26 That within the Oak Ridges Moraine Conservation Plan, uses, buildings and structures legally existing on November 15, 2001 are permitted in every land use designation, subject to the provisions of the Oak Ridges Moraine Conservation Moraine Plan.

8.4.27 That within the Oak Ridges Moraine Conservation Plan, transition provisions for applications are established within the Oak Ridges Moraine Conservation Act, 2001, as amended and the Oak Ridges Moraine Conservation Plan, 2002.

8.4.28 That notwithstanding policies 6.2.9, 6.2.10 and 6.2.11, where a planning application is submitted after November 17, 2001 as a direct result of a condition attached to a provisional consent, a draft plan of subdivision or a draft plan of condominium, the application shall be completed under the same system in effect as the original approval in accordance with the Further Approvals provisions of the Oak Ridges Moraine Conservation Act, 2001, as amended. In addition, any development permission established by such a further approval may be recognized in the local municipal official plan and zoning by-law.