

**CITY OF VAUGHAN  
COMMITTEE OF THE WHOLE (1)  
AGENDA**

**If you wish to speak to an item listed on the Agenda, please pre-register by completing a Request to Speak Form online, emailing [clerks@vaughan.ca](mailto:clerks@vaughan.ca), or contacting Service Vaughan at 905-832-2281, by 12 noon on the last business day before the meeting.**

**Tuesday, October 8, 2024**

**1:00 p.m.**

**Council Chamber**

**2nd Floor, Vaughan City Hall**

**2141 Major Mackenzie Dr., Vaughan, ON**

**and Online via Electronic Participation**

**Indigenous Land Acknowledgement (prior to the commencement of the meeting)**

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**Pages**

- 1. CONFIRMATION OF AGENDA**
- 2. DISCLOSURE OF INTEREST**
- 3. COMMUNICATIONS**
- 4. CEREMONIAL PRESENTATIONS**
- 5. PRESENTATIONS**
  1. Franca Porretta  
Requesting consideration for a Cultural Heritage Landscape designation for the neighborhood
- 6. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION INCLUDING MEMBERS RESOLUTION(S)**

## Corporate Services and Finance

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| 1. | TESTON ROAD EAST AND WEST SANITARY INFRASTRUCTURE AREA SPECIFIC DEVELOPMENT CHARGES PUBLIC STATUTORY MEETING<br>Report of the Deputy City Manager, Corporate Services, City Treasurer and Chief Financial Officer and the Deputy City Manager, Infrastructure Development, with respect to the above. | 5 |
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**8. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION**

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ALL APPENDICES ARE AVAILABLE FROM THE CITY CLERK'S OFFICE  
PLEASE NOTE THAT THIS MEETING WILL BE AUDIO RECORDED  
AND VIDEO BROADCAST

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## Committee of the Whole (1) Report

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**DATE:** Tuesday, October 8, 2024

**WARD:** 1

**TITLE: TESTON ROAD EAST AND WEST SANITARY  
INFRASTRUCTURE AREA SPECIFIC DEVELOPMENT  
CHARGES PUBLIC STATUTORY MEETING**

**FROM:**

Michael Coroneos, Deputy City Manager, Corporate Services, City Treasurer and Chief Financial Officer

Vince Musacchio, Deputy City Manager, Infrastructure Development

**ACTION:** DECISION

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**Purpose**

To facilitate and provide information pertinent to the Public Meeting regarding the Draft Development Charges Background Studies and By-Laws for the Teston Road East and West Sanitary Infrastructure Area Specific Development Charges (ASDCs).

**Report Highlights**

- Public Statutory Meeting is being held in accordance with the Development Charges Act, 1997 for the Teston Road East and West Sanitary Infrastructure ASDCs.

**Recommendations**

1. That a report be brought to the November 12, 2024, Committee of the Whole (2) meeting, summarizing and addressing, as necessary, the deputations received at the October 8, 2024, Teston Road East and West Sanitary Infrastructure ASDC Public Statutory Meeting;
2. That the draft Teston Road East and West Sanitary Infrastructure ASDC Background Study [Attachment 1] be received; and

3. That the draft Teston Road East Sanitary Sewer and Teston Road West Sanitary Infrastructure ASDC By-Laws [Attachments 2 and 3] be received.

## **Background**

The Draft ASDC Background Study and By-Laws for the Teston Road East and West Sanitary Infrastructure were originally presented to Council at the September 17, 2024, Committee of the Whole (2) Meeting, Item #2 which is linked below.

In 2020, the City initiated the City-Wide Integrated Urban Water Plan to support projected growth to 2051. This plan was finalized in early 2024 and includes a comprehensive listing of capital expenditure requirements for new and expanded water, wastewater and stormwater infrastructure. As a part of this work, the Teston Road East and Teston Road West Sanitary Infrastructure were identified as infrastructure that would be required in the short term in order to increase capacity in the area and facilitate development in Block 27, 28, 34, 35, 41, 42 & 49.

As development has already begun to occur in the area where the infrastructure is required, it was determined that an ASDC Study should be undertaken for both Teston Road East and Teston Road West as soon as possible, to establish ASDC rates, to allow the City to maximize the ASDC collections from the benefitting landowners. The total cost of the works for Teston Road West Sanitary Sewer Works is approximately \$148.8 million and approximately \$27.5 million for Teston Road East Sanitary Sewer. These costs, benefitting land areas, and draft ASDC rates will continue to be further refined through the ongoing ASDC consultation process.

## ***Communications Strategy***

A kick-off meeting took place with the development industry regarding the Teston Road East and West Sanitary Infrastructure on August 14, 2024, where the draft rates and benefitting map areas were presented. Two additional meetings were held on August 29, 2024, and September 17, 2024 to discuss the technical aspects of the study and written correspondence has also been exchanged.

Further meetings will be scheduled as required through October to further discuss the cost assumptions being used as the basis of the charge. Any resulting changes to the background study and ASDC rates will be consolidated into a final draft of the Study in November. If it is determined through consultation that more time is needed to conclude the discussion, staff will adjust the November approval timeline. Staff are moving as quickly as possible to ensure that all of the benefitting landowners will be subject to the charge with the understanding that the DC Freeze provisions in the

Development Charges Act allow DCs to be frozen at an earlier stage of development than for previous ASDCs therefore the rate must be emplaced as soon as reasonably possible.

### **Previous Reports/Authority**

[Teston Road East and West Sanitary Infrastructure Area Specific Development Charges](#)

### **Analysis and Options**

The Development Charges Act has mandatory communication requirements that require the advertising of at least one public hearing and the Clerk is mandated to carry out such advertising at least 20 days in advance of the meeting date. The Public Statutory hearing was scheduled for October 8, 2024, and was advertised on YorkRegion.com through a digital public notice on September 17, 2024.

Both advertising of the Public Meeting as well as pertinent information such as the draft Development Charge Background Study and By-law was also made available on September 17, 2024, on the City's website.

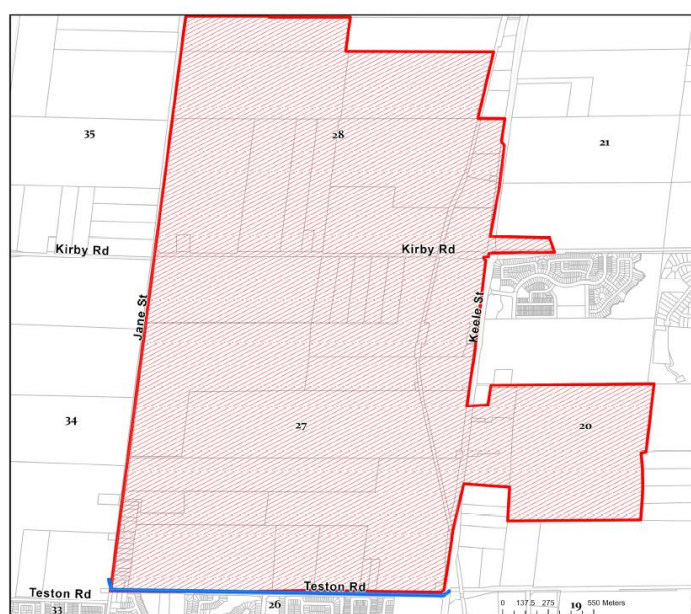
Subsequent to Council approval of the Development Charge Background Study and the Teston Road East and West Sanitary Infrastructure ASDC by-law, appropriate notices will be provided by the Clerks Department as prescribed by the Development Charge Act.

### **Financial Impact**

The City of Vaughan typically uses ASDCs to fund growth-related wastewater and storm drainage services where the benefitting lands can be clearly identified. This allows for the lands directly benefiting from the infrastructure to assume the costs that directly supports their development. The ASDC rates being proposed are on a per net developable hectare basis as is consistent with other greenfield ASDCs that already exist in the City.

### ***Teston Road East Sanitary Sewer ASDC Rates***

The Teston Road East Sanitary Sewer cost is estimated at \$27.5 million with a net benefiting area of 443.55 hectares. The works include a sanitary sewer that runs along Teston Road from Jane Street to Keele Street. The benefitting map area includes the following lands:

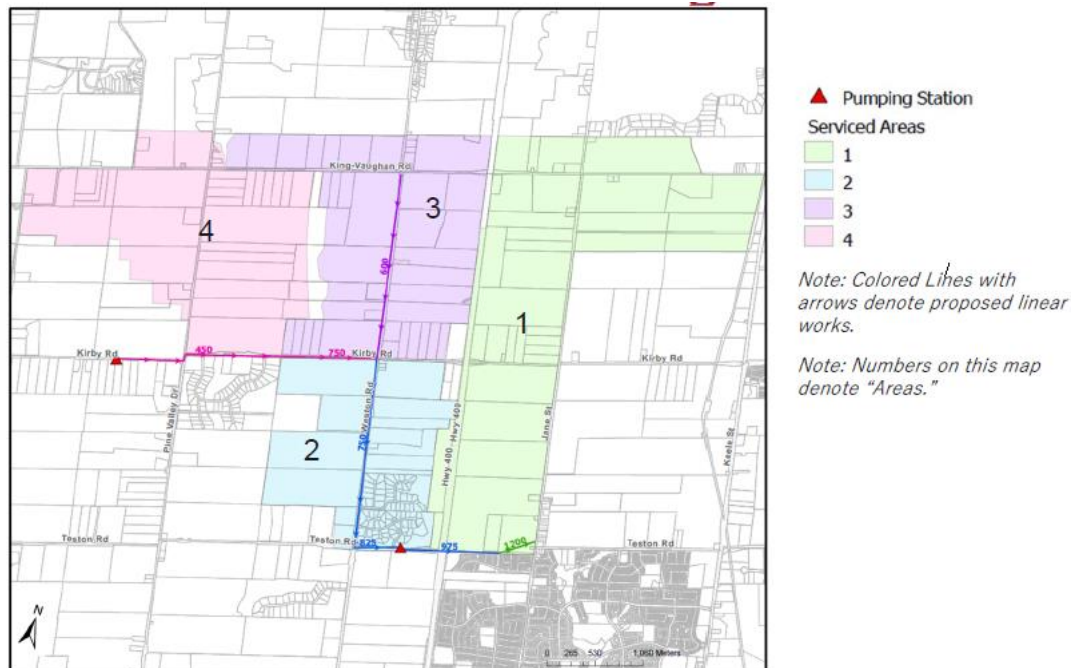


This results in a per hectare rate as follows:

<b>Teston Road East Sanitary Sewer</b>	<b>Net Cost</b>	<b>Net Developable Area</b>	<b>Charge per Net Hectare of Developable Area</b>
TESTON ROAD SANITARY SEWER - EAST	\$ 27,573,405	443.55	\$ 62,165

## Teston Road West Sanitary Infrastructure ASDC Rates

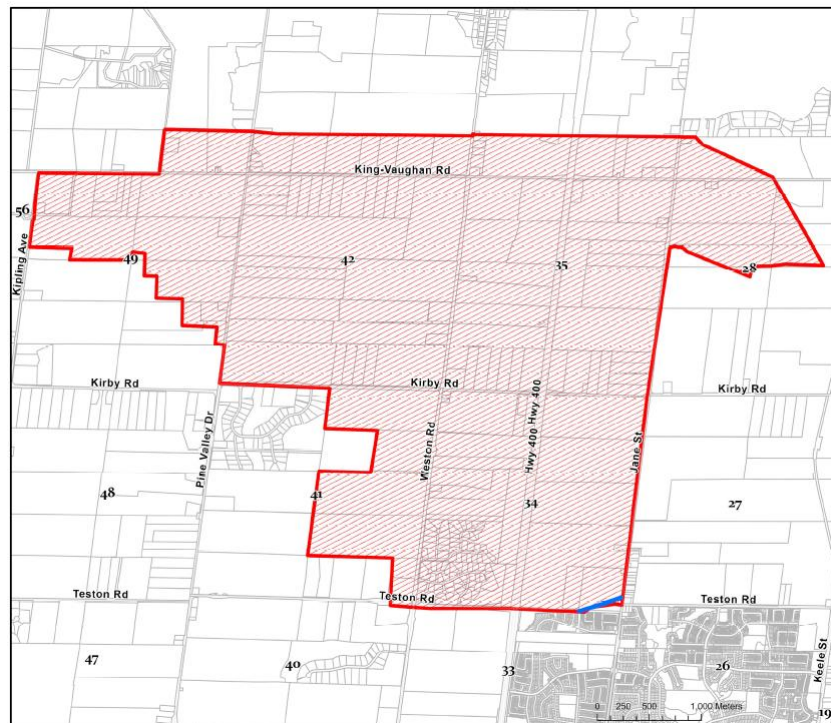
The Teston Road West Sanitary Infrastructure costs are divided into four (4) benefiting map areas which are made up of a combination of four (4) service areas determined by whose is benefiting from the infrastructure. The service areas are as follows:



Each map comprises a benefiting area for portions of the infrastructure with some of the benefiting map areas overlapping where lands benefit from more than one component of the overall infrastructure. This results in 4 benefitting land area maps as follows:

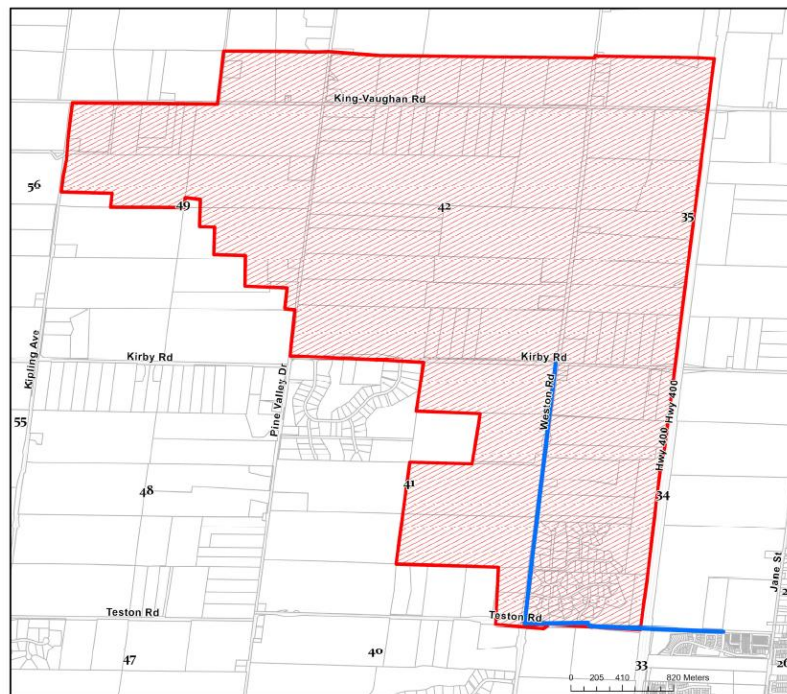
## Map 1: Segment A - Teston Road 1050 mm Diameter Sewer

This includes a sewer that runs from Shipwell Street/Mosque Gate to Jane Street. Map 1 benefits all four of the service areas described above. The estimated cost of the works is \$4.4 million with a benefitting area of 1,164.03 hectares including the following lands:



## Map 2: Segment B – Weston/Teston Road Sewer and Pumping Station

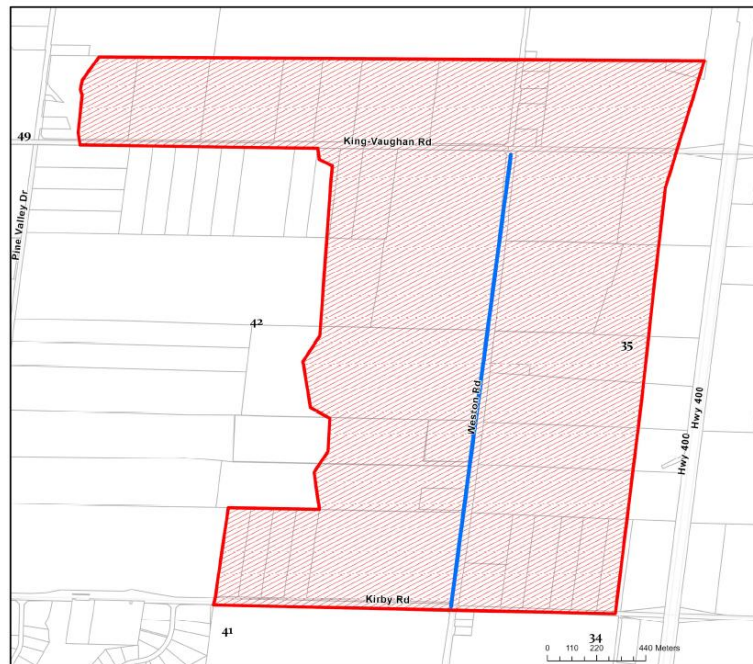
This includes a sewer that runs along Weston Road from Teston Road to Kirby Road, and on Teston Road from Weston Road to Shipwell Street/Mosque Gate. Map 2 benefits services areas 2, 3 and 4 as described above. The estimated cost of the works is \$90.7 million with a benefitting area of 731.55 hectares including the following lands:





### Map 3: Segment C – Weston Road – Kirby Road to King Vaughan Road

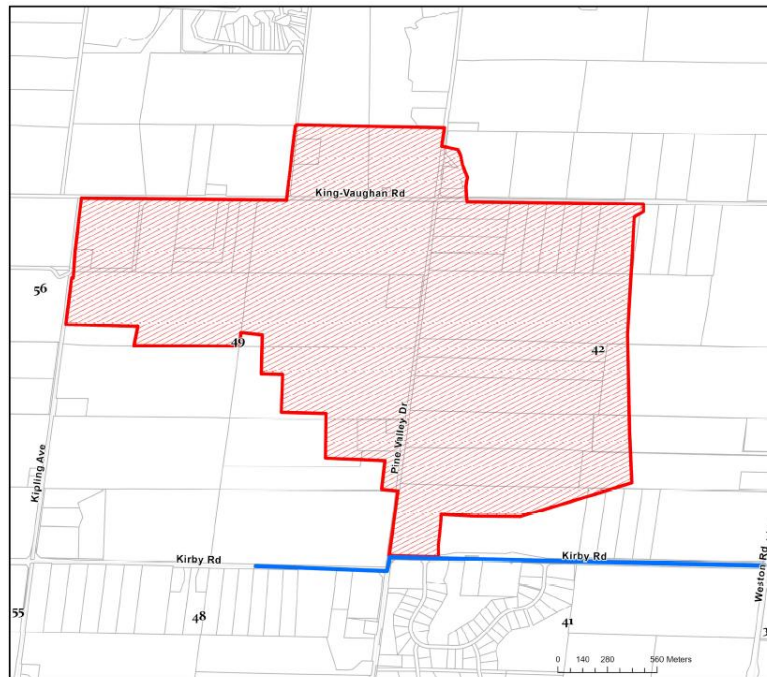
This includes a sewer that runs along Weston Road from Kirby Road to King Vaughan Road. Map 3 benefits services area 3 as described above. The estimated cost of the works is \$7.97 million with a benefitting area of 274.14 hectares including the following lands:





## Map 4: Segment D – Kirby Sanitary Sewer and Pumping Station

This includes a sewer that runs along Kirby Road from Weston Road to the West of Pine Valley Drive. Map 4 benefits services area 4 as described above. The estimated cost of the works is \$45.8 million with a benefitting area of 265.05 hectares including the following lands:



This results in four (4) per hectare rates as follows:

Teston Road West Sanitary Infrastructure	Map	Net Cost	Net Developable Area	Charge per Net Hectare of Developable
SEGMENT A - TESTON ROAD 1050mm DIAMETER SEWER	Map 1	\$ 4,363,580	1,164.03	\$ 3,749
SEGMENT B - WESTON/TESTON ROAD SEWER & PUMPING STATION	Map 2	\$ 90,716,184	731.55	\$ 124,005
SEGMENT C - WESTON (KIRBY TO K/V) SEWER	Map 3	\$ 7,973,003	274.14	\$ 29,084
SEGMENT D - KIRBY SANITARY SEWER AND PUMPING STATION (KIRBY)	Map 4	\$ 45,750,200	265.05	\$ 172,610

### ***ASDC charges by service area***

As the ASDC benefitting map areas and associated rates impact multiple services areas depending on the service area location, lands may be impacted by more than one of the rates listed above. Below is a table that shows the total charge by service area:

Development	Benefitting Infrastructure	Total Applicable Charges per net ha
Lands Located in Area 1	Segment A (Map 1)	\$ 3,748.68
	<b>TOTAL</b>	<b>\$ 3,748.68</b>
Lands Located in Area 2	Segment A (Map 1)	\$ 3,748.68
	Segment B (Map 2)	\$ 124,005.07
	<b>TOTAL</b>	<b>\$ 127,753.75</b>
Lands Located in Area 3	Segment A (Map 1)	\$ 3,748.68
	Segment B (Map 2)	\$ 124,005.07
	Segment C (Map 3)	\$ 29,084.04
	<b>TOTAL</b>	<b>\$ 156,837.78</b>
Lands Located in Area 4	Segment A (Map 1)	\$ 3,748.68
	Segment B (Map 2)	\$ 124,005.07
	Segment D (Map 4)	\$ 172,609.70
	<b>TOTAL</b>	<b>\$ 300,363.44</b>

***Financing costs have been included in the rate calculation.***

As it is assumed that the City will be required to construct the majority of the works in advance of the bulk of the ASDC collections, financing costs have been incorporated into the rate to support financing costs to the City which will be paid from the ASDC collections over time. The financing was assumed at 4.38% over a 20-year term.

### **Operational Impact**

N/A

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

The Teston Road East and West Sanitary Sewer Infrastructure works will outlet to York Region's future Jane Street sanitary trunk sewer at Teston Road and Jane Street. As part of York Region's Northeast Vaughan Wastewater Trunk sewer works, the Region's Jane Street trunk sewer is expected to be in service by Q4 2028.

## **Conclusion**

Completion of the Teston Road East and West Sanitary Sewer Works is vital in ensuring that the infrastructure that is required to support growth is undertaken in alignment with anticipated development. The proposed ASDC Background Study and By-laws will ensure that the funding is in place to support the construction of this infrastructure in such a way as growth pays for growth.

**For more information**, please contact: Brianne Clace, Project Manager of Development Finance, ext. 8284 or Nelson Pereira, Manager of Development Finance, ext. 8393.

## **Attachments**

1. Draft Teston Road East and West Sanitary Infrastructure Area Specific Development Charges Background Study, Hemson Consulting Limited.
2. Draft Teston Road East Sanitary Sewer ASDC By-Law.
3. Draft Teston Road West Sanitary Infrastructure ASDC By-law.

## **Prepared by**

Brianne Clace, Project Manager, Development Finance, extension 8284.



VERSION FOR PUBLIC CONSULTATION

PREPARED BY HEMSON FOR THE CITY OF VAUGHAN

# DEVELOPMENT CHARGES BACKGROUND STUDY FOR THE TESTON ROAD EAST AND WEST SANITARY SEWER SERVICE AREA

September 17<sup>th</sup> 2024



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# EXECUTIVE SUMMARY

The following summarizes the findings of the City of Vaughan's Area-Specific Development Charges (ASDC) Background Study for the Teston Road East and West Sanitary Sewer Service Area. The development charges identified in the study would be applied in addition to the City-wide DCs levied under DC By-law 109-2022.

## A. STUDY CONSISTENT WITH DEVELOPMENT CHARGES LEGISLATION

- In 2020, the City initiated the City-wide Integrated Urban Water Plan to support projected growth to 2051. This plan was finalized in early 2024 and includes a comprehensive listing of capital expenditure requirements for new and expanded water, wastewater and stormwater infrastructure. As a part of this work, the Teston Road East and Teston Road West Sanitary infrastructure was identified to be required in the short term in order to increase capacity in the area and facilitate development in Block 27, 28, 34, 35, 41, 42 & 49.
- As development has already begun to occur in the area where the infrastructure is required, it was determined that an ASDC Study should be undertaken for both Teston East and Teston West as soon as possible, to establish ASDC rates, to allow the City to maximize the ASDC collections from the benefitting landowners of the infrastructure emplaced. Maximizing ASDC collections will allow the City to provide the required servicing to the area enabling development to occur in a timely manner.
- Importantly, this ASDC Study and corresponding by-laws can be used as the basis to help the City establish front-ending agreements with landowners to facilitate development in the immediate future. Front-ending agreements can be undertaken with landowners who wish to enter into an agreement with the City and are expected to be dealt with on a case by case basis. To facilitate this process, the costs, benefitting land areas, and calculated ASDC rates will continue to be further refined through the ongoing ASDC consultation process and over the coming years as better information becomes available.
- The DCA and Ontario Regulation (O. Reg.) 82/98 require that a development charges background study be prepared in which development charges are determined with reference to:

- A forecast of the amount, type and location of residential and non-residential development anticipated;
- A review of future capital projects, including an analysis of gross expenditures, funding sources and net expenditures incurred or to be incurred by the City to provide for the expected development, including the determination of the development and non-development-related components of the capital projects;
- An examination of the long-term capital and operating costs for the capital infrastructure required for each service to which the development charges by-law relates;
- An asset management plan to deal with all assets whose capital costs are proposed to be funded under the DC by-law, and that demonstrates that all assets are financial sustainable over their full life cycle;
- This report identifies the development-related net capital costs attributable to development that is forecast to occur in the Teston Road East and West Sanitary Sewer Service Area. These costs are apportioned to the benefitting properties within the service areas. Rates are calculated on a net developable land per hectare basis, consistent with the City's other ASDCs; and
- The calculated charges are the maximum charges the City may adopt. Lower charges may be approved; however, this will require a reduction in the capital plan and reduced service levels, or financing from other sources, likely utility rates.

## **B. DEVELOPMENT FORECAST**

- A land area-based development charge is proposed for the purposes of calculating an ASDC for the Teston Road East and West Sanitary Sewer Service Area.
- As such, a land area forecast has been prepared with input from City staff to determine the total available developable land from 2024 to buildout (in hectares).
- The Teston Road East Sanitary Sewer Service Area includes 443.55 ha of net developable area while the Teston Road West Sanitary Sewer Service Area includes 1,164.03 ha of net developable area.



- The following is a summary of the land areas for which the Teston Road East and West Sanitary Sewer Service Area ASDC will apply:

**Teston Road East and West Sanitary Sewer Service Area Summary of Net Developable Land Area in Hectares (ha)**

<b>Lands</b>	<b>Applicable Area</b>	<b>Gross Land Area</b>	<b>Less: Excluded Land Area</b>	<b>Net Developable Area</b>
<b>Teston Road - East Sanitary Sewer</b>				
East Sanitary Sewer		486.21	42.66	443.55
<b>Total Teston Road - East Sanitary Sewer</b>		<b>486.21</b>	<b>42.66</b>	<b>443.55</b>
<b>Teston Road - West Sanitary Sewer</b>				
Area 1		480.02	47.55	432.48
Area 2		202.49	10.12	192.37
Area 3		288.57	14.43	274.14
Area 4		279.00	13.95	265.05
<b>Total Teston Road - West Sanitary Sewer</b>		<b>1,250.08</b>	<b>86.05</b>	<b>1,164.03</b>
<b>Teston Road - West Sanitary Sewer (By Applicable Map)</b>				
Map 1	Area 1, 2, 3, 4	1,250.08	86.05	1,164.03
Map 2	Area 2, 3, 4	770.06	38.50	731.55
Map 3	Area 3	288.57	14.43	274.14
Map 4	Area 4	279.00	13.95	265.05

*Note: For the purposes of capital cost estimates and infrastructure planning, the infrastructure in Maps 1 to 4 in the Teston Road West Sanitary Sewer service area is referred to as Segments A through D. Details are provided in Appendix A.*

## **C. DEVELOPMENT-RELATED CAPITAL PROGRAM**

- City staff have prepared a development-related capital program setting out the projects that are required to service anticipated development in the Teston Road East and West Sanitary Sewer Service Area.
- Project costs amount to about \$139.0 million for servicing the Teston Road East and West Sanitary Sewer Service Area. As the City expects debt financing will be required to undertake the works, financing costs of about \$37.3 million is added to the project costs based on interest rate of 4.38% over a 20-year term. Total DC eligible costs amount to \$176.4 million.

- Of the total cost (financing included), \$27.6 million is related to sanitary sewer works for Teston Road East and \$148.8 million is related to sanitary sewer works for Teston Road West area.
- No grants, subsidies, other recoveries, have been identified to fund the works.
- As the works will fully benefit development in the area, no benefit to existing shares are identified. As the works identified will benefit development to build-out, all costs are recovered in-period and no post-period benefit has been identified for these works.

The following is a summary of the development-related capital forecast for the Teston Road East and West Sanitary Sewer Service Area:

#### Summary of Development-Related Capital Program for Area-Specific Services

Area	Project Cost*	Financing Cost**	DC Eligible Costs
<b>Teston Road - East Sanitary Sewer</b>			
East Sanitary Sewer	\$ 21,737,958	\$ 5,835,447	\$ 27,573,405
<b>Total Teston Road - East Sanitary Sewer</b>	<b>\$ 21,737,958</b>	<b>\$ 5,835,447</b>	<b>\$ 27,573,405</b>
<b>Teston Road - West Sanitary Sewer (By Applicable Map)</b>			
Map 1 - Teston Rd Sanitary Sewer	\$ 3,440,101	\$ 923,478	\$ 4,363,580
Map 2 - Weston/Teston Rd Sewer and Pumping Station	\$ 71,517,631	\$ 19,198,553	\$ 90,716,184
Map 3 - Weston (Kirby to K/V) Sewer	\$ 6,285,651	\$ 1,687,352	\$ 7,973,003
Map 4 - Kirby Sewer and Pumping Station	\$ 36,067,940	\$ 9,682,259	\$ 45,750,200
<b>Total Teston Road - West Sanitary Sewer</b>	<b>\$ 117,311,324</b>	<b>\$ 31,491,643</b>	<b>\$ 148,802,967</b>
<b>Grand Total</b>	<b>\$ 139,049,283</b>	<b>\$ 37,327,089</b>	<b>\$ 176,376,372</b>

Note\*: Values include contingency, engineering, land, HST and City administration costs.

Note\*\*: Financing costs assumed at rate of 4.38% over 20-year term. These costs are added to the total costs eligible for DC recovery.

#### D. DEVELOPMENT CHARGES ARE CALCULATED WITH FULL REFERENCE TO THE DCA

- The fully calculated ASDCs are recommended to vary by service area and on a net developable hectare basis, reflecting the difference in servicing requirements for the lands within the Teston Road East and West Sanitary Sewer Service Area.

### Calculated ASDCs (\$/net ha)

Area	DC Eligible Costs	Net Developable Area (ha)	Charge per Net Hectare of Developable Area
<b>Teston Road - East Sanitary Sewer</b>			
East Sanitary Sewer	\$ 27,573,405	443.55	\$ 62,165.21
<b>Total Teston Road - East Sanitary Sewer</b>	<b>\$ 27,573,405</b>		
<b>Teston Road - West Sanitary Sewer (By Applicable Map)</b>			
Map 1 - Teston Rd Sanitary Sewer	\$ 4,363,580	1,164.03	\$ 3,748.68
Map 2 - Weston/Teston Rd Sewer and Pumping Station	\$ 90,716,184	731.55	\$ 124,005.07
Map 3 - Weston (Kirby to K/V) Sewer	\$ 7,973,003	274.14	\$ 29,084.04
Map 4 - Kirby Sewer and Pumping Station	\$ 45,750,200	265.05	\$ 172,609.70
<b>Total Teston Road - West Sanitary Sewer</b>	<b>\$ 148,802,967</b>		
<b>Grand Total</b>	<b>\$ 176,376,372</b>		

- The Teston Road West Sanitary Sewer Service Area is made up of four areas. For administration of the by-law, the development charges would be applied relative to the location of a property within a map. Maps 1 to 4 are made up of a combination of areas. Therefore, multiple DCs could be applied pending on the area to which is being developed. The table below shows the applicable charges for each area.
- Maps of the Teston Road East and West Sanitary Sewer Service Area are included in the following pages. Further detailed explanations of each map and applicable charges are provided in Appendix A.

### Summary of Applicable Charges in Teston Road West Sanitary Sewer Area

Application of Charge for Teston Road West	Applicable Charge per Ha
<b>Area 1</b>	
Map 1 (Segment A)	\$ 3,748.68
<b>Total</b>	<b>\$ 3,748.68</b>
<b>Area 2</b>	
Map 1 (Segment A)	\$ 3,748.68
Map 2 (Segment B)	\$ 124,005.07
<b>Total</b>	<b>\$ 127,753.75</b>
<b>Area 3</b>	
Map 1 (Segment A)	\$ 3,748.68
Map 2 (Segment B)	\$ 124,005.07
Map 3 (Segment C)	\$ 29,084.04
<b>Total</b>	<b>\$ 156,837.78</b>
<b>Area 4</b>	
Map 1 (Segment A)	\$ 3,748.68
Map 2 (Segment B)	\$ 124,005.07
Map 4 (Segment D)	\$ 172,609.70
<b>Total</b>	<b>\$ 300,363.44</b>

# 1. INTRODUCTION AND BACKGROUND

This City of Vaughan Area-Specific Development Charges (ASDC) Background Study for the Teston Road East and West Sanitary Sewer Service Area is presented as part of a process to lead to the approval of a new ASDC by-law in compliance with the *Development Charges Act, 1997* (DCA) and its associated *Ontario Regulation 82/98* (O. Reg. 82/98).

In 2020, the City initiated the City-wide Integrated Urban Water Plan to support projected growth to 2051. This plan was finalized in early 2024 and includes a comprehensive listing of capital expenditure requirements for new and expanded water, wastewater and stormwater infrastructure. As a part of this work, the Teston Road East and Teston Road West Sanitary infrastructure was identified to be required in the short term in order to increase capacity in the area and facilitate development in Block 27, 28, 34, 35, 41, 42 & 49.

As development has already begun to occur in the area where the infrastructure is required, it was determined that an ASDC Study should be undertaken for both Teston East and Teston West as soon as possible, to establish ASDC rates, to allow the City to maximize the ASDC collections from the benefitting landowners. Maximizing ASDC collections will allow the City to provide the required servicing to the area enabling development to occur in a timely manner.

Importantly, this ASDC Study and corresponding by-laws can be used as the basis to help the City establish front-ending agreements with landowners to facilitate development in the immediate future. Front-ending agreements can be undertaken with landowners who wish to enter into an agreement with the City and are expected to be dealt with on a case by case basis. To facilitate this process, the costs, benefitting land areas, and calculated ASDC rates will continue to be further refined through the ongoing ASDC consultation process and over the coming years as better information becomes available.

The DCA and O. Reg. 82/98 require that a development charges background study be prepared in which development charges are determined with reference to:

- A forecast of the amount, type and location of development anticipated;
- A review of capital works in progress and anticipated future capital projects, including an analysis of gross expenditures, funding sources, and net expenditures incurred or to be incurred by the City or its local boards to provide for the expected development, including the determination of the development and non-development-related components of the capital projects;

- An examination of the long-term capital and operating costs for the capital infrastructure required for each service to which the development charges by-laws would relate; and
- An asset management plan to deal with all assets whose capital costs are proposed to be funded under the DC by-law, demonstrating that all assets included in the capital program are financially sustainable over their full life cycle.

This study presents the results of the review, which determines the net capital costs attributable to new development that is forecast to occur in the Teston Road East and West Sanitary Sewer Service Area.

The City of Vaughan currently levies development charges on a City-wide, uniform basis in addition to a series of other area-specific development charges. The City-wide charges recover for development-related costs for the provision of the following services: development related studies, library, fire and rescue, community services, services related to a highway: public works buildings and fleet, services related to a highway: roads and related infrastructure, water, wastewater and storm drainage and control. These City-wide services as well as the City's other area-specific development charge by-laws are not being reviewed as part of this study.

The DCA provides for a period of public review and comment regarding the proposed development charges. This process includes considering and responding to comments received by members of the public about the calculated charges and methodology used. Following completion of this process, and in accordance with the DCA and Council's review of this study, it is intended that Council will pass new ASDCs for the Teston Road East and West Sanitary Sewer Service Area.

The remainder of this study sets out the information and analysis upon which the proposed development charges are based.

- **Section 2** designates the services for which the development charges are proposed and the areas within the City to which the development charges will apply. It also briefly reviews the methodology that has been used in this background study.
- **Section 3** presents a summary of the forecast residential and non-residential development that is expected to occur within the Teston Road East and West Sanitary Sewer Service Area.

- **Section 4** summarizes the future development-related capital costs associated with the provision of sanitary sewer services related to development in the Teston Road East and West Sanitary Sewer Service Area. The details of the calculated ASDC rates on a net developable area basis are also outlined.
- **Section 5** provides an examination of the long-term capital and operating cost impacts for the infrastructure included in the ASDC calculation. It also addresses the asset management provisions required to maintain the development-related components of the capital projects included in the analysis.
- **Section 6** provides a discussion of other issues and considerations including by-law administration, rules and policies.

## **2. AREA-SPECIFIC APPROACH IS USED TO ALIGN DEVELOPMENT-RELATED COSTS AND BENEFITS**

Several key steps are required when calculating any development charge. However, specific circumstances arise in each municipality that must be reflected in the calculation.

Therefore, the approach is tailored to the unique circumstances in the City of Vaughan and the Teston Road East and West Sanitary Sewer Service Area. The approach to the proposed area-specific development charges is focused on providing a reasonable alignment of development-related costs with the development that necessitates them.

### **A. AREA-SPECIFIC DEVELOPMENT CHARGES ARE CALCULATED**

The DCA provides municipalities with flexibility to define services that will be included in the development charge by-laws, provided that the other provisions of the Act and its associated regulations are met. The DCA also requires that the by-laws designate the areas within which the by-laws shall be imposed. The development charges may apply to all lands in the municipality or to other designated development areas as specified in the by-laws. The City of Vaughan currently levies development charges on both a City-wide and Area-Specific basis.

This ASDC Background Study calculates development charges related to the provision of engineered services related to sanitary sewers within the Teston Road East and West Sanitary Sewer Service Area. The area-specific approach is applied to the service to align the capital costs with the areas that will be serviced by the required infrastructure. It is important to note that both the City-wide development charges and the calculated area-specific development charges would apply to development in the Teston Road East and West Sanitary Sewer Service Area.

No changes to the City-wide DC by-law or other City ASDC by-laws are proposed as part of this study.



## **B. KEY STEPS IN DETERMINING AREA-SPECIFIC DEVELOPMENT CHARGES FOR FUTURE DEVELOPMENT-RELATED PROJECTS**

Several key steps are required in calculating development charges for future development-related projects. These are summarized below.

### **1. Developable Land Area Forecast**

A land area-based development charge is proposed for the purposes of calculating an ASDC for the Teston Road East and West Sanitary Sewer Service Area. As such, a land area forecast has been prepared with input from City staff to determine the total available developable land.

For the purposes of the ASDC calculation, the gross developable land area, net of areas such as open spaces, hydro right-of-way, school and other public uses, parks, walkways and buffers, table land woodlots, Region buffers and road widenings and stormwater blocks.

### **2. Development-Related Capital Program and DC Eligible Costs to be Recovered through the ASDCs**

A development-related capital program has been prepared by the City based on estimated costs and the best available information available at the time of developing this study. The development related capital program includes construction of sanitary sewers, forcemains and pumping stations to service development in the area. The program identifies development-related projects and their gross and net costs, after allowing for capital grants, subsidies or other contributions as required by the Act (DCA, s. 5. (2)). The capital forecast provides another cornerstone upon which development charges are based. The DCA requires that the increase in the need for service attributable to the anticipated development may include an increase:

*... only if the council of the municipality has indicated that it intends to ensure that such an increase in need will be met. (s. 5. (1) 3.)*

The development-related capital program prepared for this study ensures that development charges are only imposed to help pay for projects that have been or are intended to be purchased or built to accommodate future anticipated development. It is not sufficient in the calculation of development charges merely to have had the service in the past. There must also be a demonstrated commitment to continue to emplace facilities or infrastructure in the future. In this regard, Ontario Regulation 82/98, s. 3 states that:

*For the purposes of paragraph 3 of subsection 5 (1) of the Act, the council of a municipality has indicated that it intends to ensure that an increase in the need for service will be met if the increase in service forms part of an Official Plan, capital forecast or similar expression of the intention of the council and the plan, forecast or similar expression of the intention of the council has been approved by the council.*

As required by the DCA, s. 5. (1) 6., any portion of projects and their associated net costs that are considered to benefit existing residents are the funding responsibility of the City from non-development charges sources. However, the projects identified in the development-related capital program are for the Teston Road East and West Sanitary Sewer Service Area are eligible for development charge funding.

### **3. Attribution to Net Developable Land Area**

Once the total gross capital project costs have been identified and all necessary reductions and adjustments have been made, the ASDC is calculated based on the net developable land area and expressed as a rate per net hectare. This approach is consistent with other area-specific development charges the City currently levies.

### 3. DEVELOPMENT FORECAST

This section provides the basis for the net developable land area forecasts used in calculating area-specific development charges on the Teston Road East and West Sanitary Sewer Service Area. The net developable land area was informed based on data provided by City staff. This practice aligns with the provisions of the DCA, which require that development charges be determined with reference to “the amount, type and location of development for which development charges can be imposed...” (s.5.(1)1.).

#### A. NET DEVELOPABLE LAND AREA

The net developable land area is calculated based on gross land area for the areas for which the area-specific development charges are applicable net of open spaces, hydro right-of-way, school and other public uses, parks, walkways and buffers, table land woodlots, Region buffers and Region road widenings and stormwater blocks. The net developable area has been determined for the purposes of calculating the total applicable ASDCs payable on a per net hectare basis.

Table 1 outlines a summary of the net developable land area. The Teston Road East Service Area has a gross land area of 486.21 ha. Net of excluded lands, the net developable area is 443.55 ha. The Teston Road West Service Area has a gross land area of 1,250.08 ha. Net of excluded lands, the net developable area is 1,164.03 ha.

For the purposes of the ASDC calculation the Teston Road West Service Area is delineated by areas that reflect the needs of the proposed infrastructure. The Teston Road West Service Area is made up of four areas as shown in Table 1. The applicable areas that benefit from the infrastructure is further categorized by maps, which are made up of areas as shown in Table 1. Further discussion on infrastructure and benefitting areas is provided in Section 4.

**Table 1 – The City of Vaughan – Teston Road East and West Sanitary Sewer Service Area Summary of Net Developable Land Area in Hectares (ha)**

<b>Lands</b>	<b>Applicable Area</b>	<b>Gross Land Area</b>	<b>Less: Excluded Land Area</b>	<b>Net Developable Area</b>
<b>Teston Road - East Sanitary Sewer</b>				
East Sanitary Sewer		486.21	42.66	443.55
<b>Total Teston Road - East Sanitary Sewer</b>		<b>486.21</b>	<b>42.66</b>	<b>443.55</b>
<b>Teston Road - West Sanitary Sewer</b>				
Area 1		480.02	47.55	432.48
Area 2		202.49	10.12	192.37
Area 3		288.57	14.43	274.14
Area 4		279.00	13.95	265.05
<b>Total Teston Road - West Sanitary Sewer</b>		<b>1,250.08</b>	<b>86.05</b>	<b>1,164.03</b>
<b>Teston Road - West Sanitary Sewer (By Applicable Map)</b>				
Map 1	Area 1, 2, 3, 4	1,250.08	86.05	1,164.03
Map 2	Area 2, 3, 4	770.06	38.50	731.55
Map 3	Area 3	288.57	14.43	274.14
Map 4	Area 4	279.00	13.95	265.05

*Note: For the purposes of capital cost estimates and infrastructure planning, the infrastructure in Maps 1 to 4 in the Teston Road West Sanitary Sewer service area are referred to as Segments A through D. Details are provided in Appendix A.*

## **B. MAPS OF AREA SPECIFIC DEVELOPMENT CHARGES AREA**

Figure 1 and 2 provides an outline of the areas to which the proposed ASDCs will apply. Figure 1 shows the Teston Road East Service Area while Figure 2 shows the Teston Road West Service Area. Figure 2 also outlines the areas that make up the Teston Road West Service Area as outlined in Table 1. Detailed land area maps of the Teston Road West Service Area and the areas where specific ASDCs are applicable are provided in Appendix A.

Figure 1 – Teston Road East Sanitary Sewer Service Area

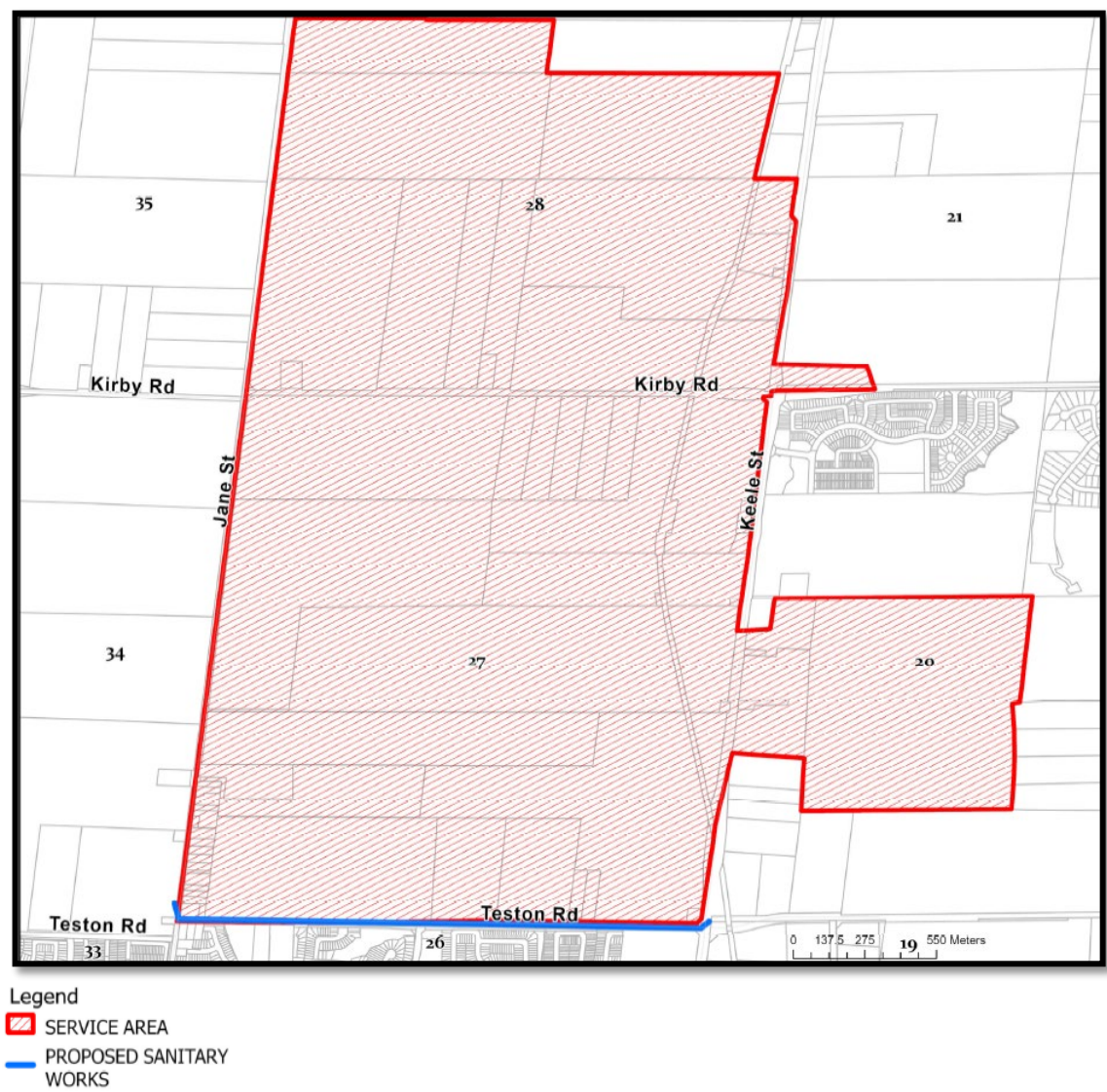
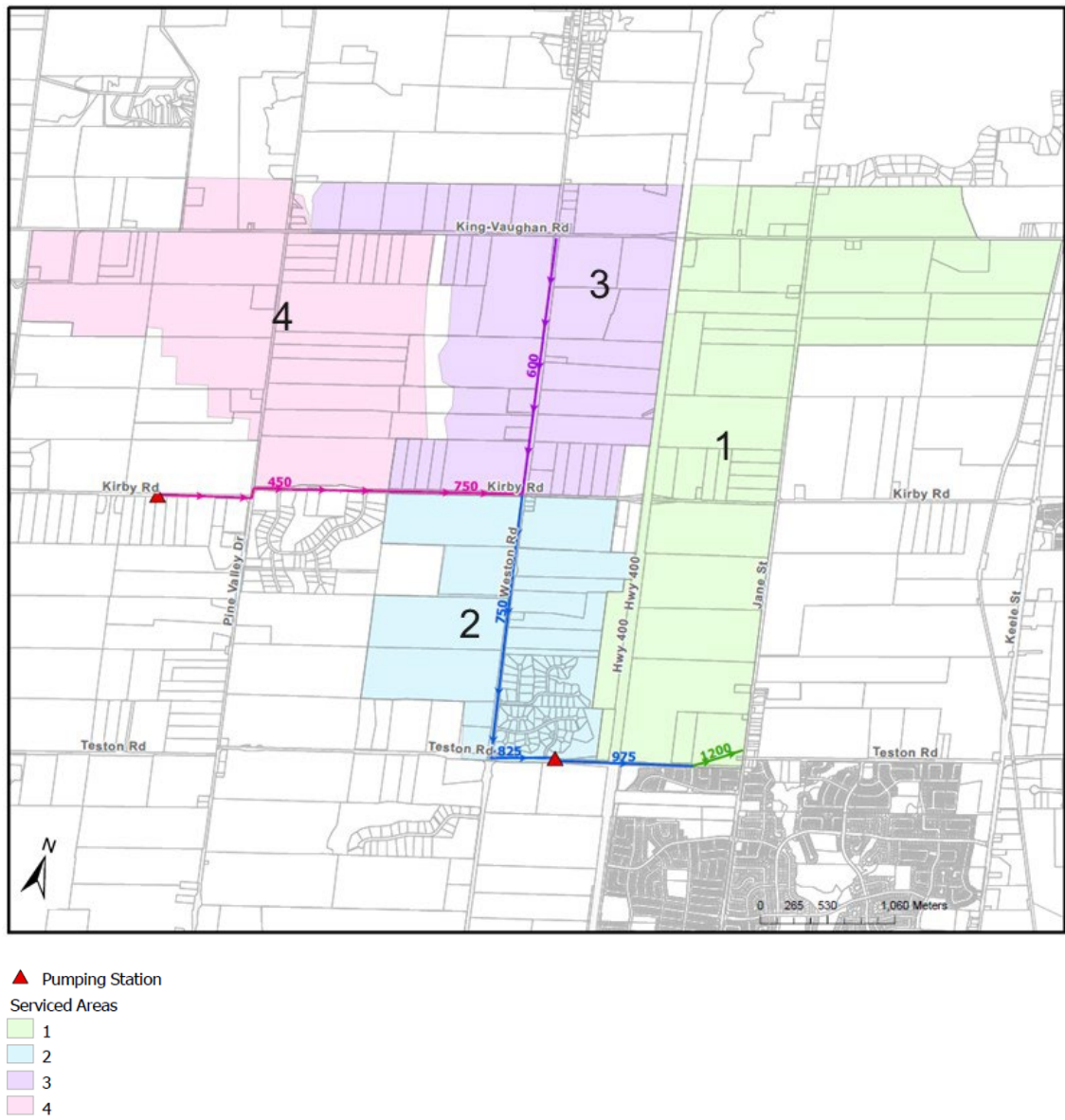


Figure 2 – Teston Road West Sanitary Sewer Service Area



*Note: Coloured lines with arrows denote proposed linear works. Numbers on this map denote “areas.”*

## 4. THE DEVELOPMENT-RELATED CAPITAL PROGRAM AND AREA-SPECIFIC DEVELOPMENT CHARGES

The DCA requires the Council of a municipality to express its intent to provide future capital facilities. Ontario Regulation 82/98, s. 3 states that:

*For the purposes of paragraph 3 of subsection 5 (1) of the Act, the council of a municipality has indicated that it intends to ensure that an increase in the need for service will be met if the increase in service forms part of an official plan, capital forecast or similar expression of the intention of the council and the plan, forecast or similar expression of the intention of the council has been approved by the council.*

### A. A DEVELOPMENT-RELATED CAPITAL FORECAST IS PROVIDED FOR COUNCIL'S APPROVAL

Based on the development forecasts summarized in Section 3 of this report, City staff have created a development-related capital program setting out those projects that are required to service the development anticipated.

One of the recommendations contained in this ASDC Background Study is for Council to adopt the capital programs created for the purposes of this area-specific development charges calculation. It is assumed that future capital budgets and forecasts will continue to bring forward the development-related projects contained herein, that are consistent with the development occurring in the Teston Road East and West Sanitary Sewer Service Area. It is acknowledged that changes to the capital requirements presented here may occur through the City's normal capital budget process.

### B. THE DEVELOPMENT-RELATED CAPITAL FORECAST FOR SANITARY SEWER SERVICE

Table 2 provides the development-related capital recoveries for the engineered service of sanitary sewers. The total gross costs of the program to service both the East and West area amounts to about \$139.0 million. As the City expects to require financing to undertake



the works, financing costs have been included totaling about \$37.3 million. These financing costs are based on the best available information on borrowing rates for the City at 4.38% over a 20-year term. No grants, subsidies, other recoveries have been identified for funding. As the infrastructure is needed to service development in the Teston Road East and West Sanitary Sewer Service Area, the entire program will be funded from the benefitting landowners. As the infrastructure will service development to build-out, no post-period benefit has been identified. Finally, as this is a new ASDC for the City, there are no available development charge reserves available.

The following provides a brief description of the capital works included in each area:

- **Teston Rd East Sanitary Sewer:** construction of a 900 mm diameter sewer and a 450 mm diameter sewer for a total cost, inclusive of financing, of about \$27.6 million.
- **Teston Rd West Sanitary Sewer – Map 1 (Segment A):** construction of a 1,200 mm diameter sewer for a total cost of about \$4.4 million.
- **Teston Rd West Sanitary Sewer – Map 2 (Segment B):** construction of a forcemain, sewage pumping station on Teston Rd, 825 mm and 750 mm sewer for a total cost of about \$90.7 million.
- **Teston Rd West Sanitary Sewer – Map 3 (Segment C):** construction of a 600 mm diameter sewer for a total cost of about \$8.0 million.
- **Teston Rd West Sanitary Sewer – Map 4 (Segment D):** construction of a forcemain, Kirby sewage pumping station and 750 mm diameter sewer for a total cost of about \$45.8 million.



**Table 2 – Summary of Development-Related Capital Program for Area-Specific Services**

Area	Project Cost*	Financing Cost**	DC Eligible Costs
<b>Teston Road - East Sanitary Sewer</b>			
East Sanitary Sewer	\$ 21,737,958	\$ 5,835,447	\$ 27,573,405
<b>Total Teston Road - East Sanitary Sewer</b>	<b>\$ 21,737,958</b>	<b>\$ 5,835,447</b>	<b>\$ 27,573,405</b>
<b>Teston Road - West Sanitary Sewer (By Applicable Map)</b>			
Map 1 - Teston Rd Sanitary Sewer	\$ 3,440,101	\$ 923,478	\$ 4,363,580
Map 2 - Weston/Teston Rd Sewer and Pumping Station	\$ 71,517,631	\$ 19,198,553	\$ 90,716,184
Map 3 - Weston (Kirby to K/V) Sewer	\$ 6,285,651	\$ 1,687,352	\$ 7,973,003
Map 4 - Kirby Sewer and Pumping Station	\$ 36,067,940	\$ 9,682,259	\$ 45,750,200
<b>Total Teston Road - West Sanitary Sewer</b>	<b>\$ 117,311,324</b>	<b>\$ 31,491,643</b>	<b>\$ 148,802,967</b>
<b>Grand Total</b>	<b>\$ 139,049,283</b>	<b>\$ 37,327,089</b>	<b>\$ 176,376,372</b>

*Note\*: Values include contingency, engineering, land, HST and City administration costs.*

*Note\*\*: Financing costs assumed at rate of 4.38% over 20-year term. These costs are added to the total costs eligible for DC recovery.*

### **C. AREA-SPECIFIC DEVELOPMENT CHARGES CALCULATION**

As shown in Table 3, the total DC eligible costs of \$176.4 million is attributed to the net developable land area of the Teston Road East and West Sanitary Sewer lands. Of the total cost, \$27.6 million is related to servicing the Teston Road East area while the remaining \$148.8 million is related to servicing the Teston Road West area. The estimated costs for each ASDC area is calculated by dividing the DC eligible costs by the corresponding net developable land area (in hectares). The resulting ASDCs are show in Table 3.

**Table 3 – Calculated ASDCs (\$/net ha)**

Area	DC Eligible Costs	Net Developable Area (ha)	Charge per Net Hectare of Developable Area
<b>Teston Road - East Sanitary Sewer</b>			
East Sanitary Sewer	\$ 27,573,405	443.55	\$ 62,165.21
<b>Total Teston Road - East Sanitary Sewer</b>	<b>\$ 27,573,405</b>		
<b>Teston Road - West Sanitary Sewer (By Applicable Map)</b>			
Map 1 - Teston Rd Sanitary Sewer	\$ 4,363,580	1,164.03	\$ 3,748.68
Map 2 - Weston/Teston Rd Sewer and Pumping Station	\$ 90,716,184	731.55	\$ 124,005.07
Map 3 - Weston (Kirby to K/V) Sewer	\$ 7,973,003	274.14	\$ 29,084.04
Map 4 - Kirby Sewer and Pumping Station	\$ 45,750,200	265.05	\$ 172,609.70
<b>Total Teston Road - West Sanitary Sewer</b>	<b>\$ 148,802,967</b>		
<b>Grand Total</b>	<b>\$ 176,376,372</b>		

## 5. LONG-TERM CAPITAL AND OPERATING COSTS AND ASSET MANAGEMENT PROVISIONS

This section provides a brief examination of the long-term capital and operating costs for the area-specific capital facilities and infrastructure to be included in the ASDC by-laws. The required asset management provisions are also considered.

### A. NO NET INCREASE IN OPERATING COSTS ARE ANTICIPATED OVER THE FORECAST PERIOD

The DCA requires that a background study estimate the future tax supported operating cost implications of the development-related capital program contained in the study. The capital program contained in this background study relates to the provision of sewer services in the Teston Road East and West Sanitary Sewer areas.

Funds required for operating the water and sewer systems are generated through the utility rates. Any additional operating costs triggered by the capital program will be included in the rates. As the projects identified in the development-related capital program for the Teston Road East and West Sanitary Sewer Service Area only relate to servicing new development, the entire amount will be funded through development charges and no component of the program will require funding from non-development charge sources.

### B. ANNUAL ASSET MANAGEMENT PLAN PROVISION REQUIREMENTS

Table 4 summarizes the annual capital provisions required to replace the capital infrastructure proposed to be funded through ASDCs under this by-law. This estimate is based on useful life assumptions typically used by City staff and the capital cost of acquiring and/or emplacing each asset based on the costs from Section 4.

Table 4 illustrates that at build-out, the City will need to fund an additional \$2.2 million per year in order to properly fund the full life cycle costs of the new assets supported under this by-law.

The calculated annual provisions identified are considered financially sustainable as it is expected that the increased capital asset management requirements will be incorporated into the City's utility rates over the long-term.

**Table 4 – Calculated Annual Provision by Build-Out**

Area	Capital Program*		Calculated Annual Provision to Build-Out**	
	DC Recoverable	Non-DC Funded	DC Related	Non-DC Related
<b>Teston Road - East Sanitary Sewer</b>				
East Sanitary Sewer	\$ 21,737,958	\$ -	\$ 337,538	\$ -
<b>Total Teston Road - East Sanitary Sewer</b>	<b>\$ 21,737,958</b>	<b>\$ -</b>	<b>\$ 337,538</b>	<b>\$ -</b>
<b>Teston Road - West Sanitary Sewer</b>				
<b>(By Applicable Map)</b>				
Map 1 - Teston Rd Sanitary Sewer	\$ 3,440,101	\$ -	\$ 53,416	\$ -
Map 2 - Weston/Teston Rd Sewer and Pumping Station	\$ 71,517,631	\$ -	\$ 1,110,496	\$ -
Map 3 - Weston (Kirby to K/V) Sewer	\$ 6,285,651	\$ -	\$ 97,601	\$ -
Map 4 - Kirby Sewer and Pumping Station	\$ 36,067,940	\$ -	\$ 560,048	\$ -
<b>Total Teston Road - West Sanitary Sewer</b>	<b>\$ 117,311,324</b>	<b>\$ -</b>	<b>\$ 1,821,562</b>	<b>\$ -</b>
<b>Grand Total</b>	<b>\$ 139,049,283</b>	<b>\$ -</b>	<b>\$ 2,159,100</b>	<b>\$ -</b>

*Note\*:* For the purposes of calculating the annual provision the capital program costs exclude financing costs.

*Note\*\*:* Provision calculated using long-term inflation of 2%, investment rate of 3.5% with useful life of 75 years.

## 6. OTHER ISSUES AND CONSIDERATION

### A. DEVELOPMENT CHARGES ADMINISTRATION

No significant changes are recommended to the City's current policies and practices regarding development charge administration. In this regard:

- It is recommended that the City implement the new ASDCs through two by-laws separately for the Teston Road East and West Sanitary Sewer charges.
- It is recommended that the City's existing practices regarding collection of development charges and by-law administration continue to the extent possible.
- As required under the DCA, the City should codify any rules regarding application of the by-laws and exemptions within the development charges by-laws proposed for adoption.
- It is recommended that Council adopt the development-related capital program included in this background study, subject to annual review through the City's normal capital budget process.

# APPENDIX A

## SUPPORTING MAPS AND

## APPLICABLE RATES

# APPENDIX A – SUPPORTING MAPS AND APPLICABLE RATES

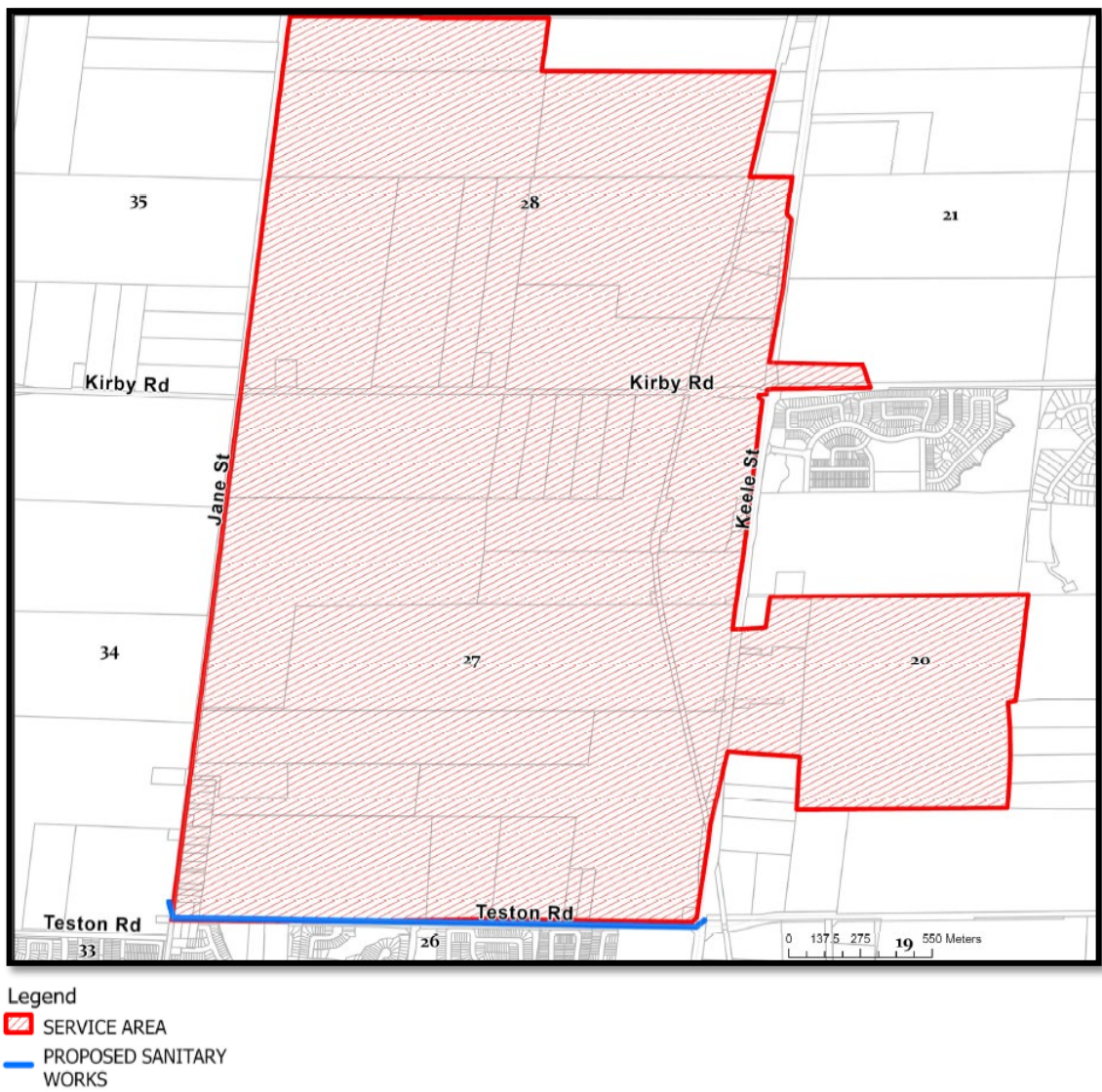
This appendix provides details of the benefitting areas used to prepare the 2024 Area-Specific Development Charges (ASDC) Background Study for the Teston Road East and West Sanitary Sewer Service Area in Vaughan.

## A. TESTON ROAD EAST SANITARY SEWER SERVICE

The Teston Road East Sanitary Sewer Service Area includes 443.55 ha of net developable area. It is located north of Teston Rd between Jane St and Keele St. The area also includes some lands north of Kirby Rd and east of Keele Street. Figure A1 includes a map of the service area.

The calculated charge for this service area is \$62,165.21 per net developable hectare.

Figure A1 –Teston Road East Sanitary Sewer Service Area





## B. TESTON ROAD WEST SANITARY SEWER SERVICE

The Teston Road West Sanitary Sewer Service Area includes 1,164.03 ha of net developable area. The area is located north of Teston Road and south of the boundary with the Township of King. It is generally located between Pine Valley Drive and Jane St however some lands west of Pine Valley Drive and east of Jane St are also included. The service area is categorized into four (4) areas which are outlined in Figure A2.

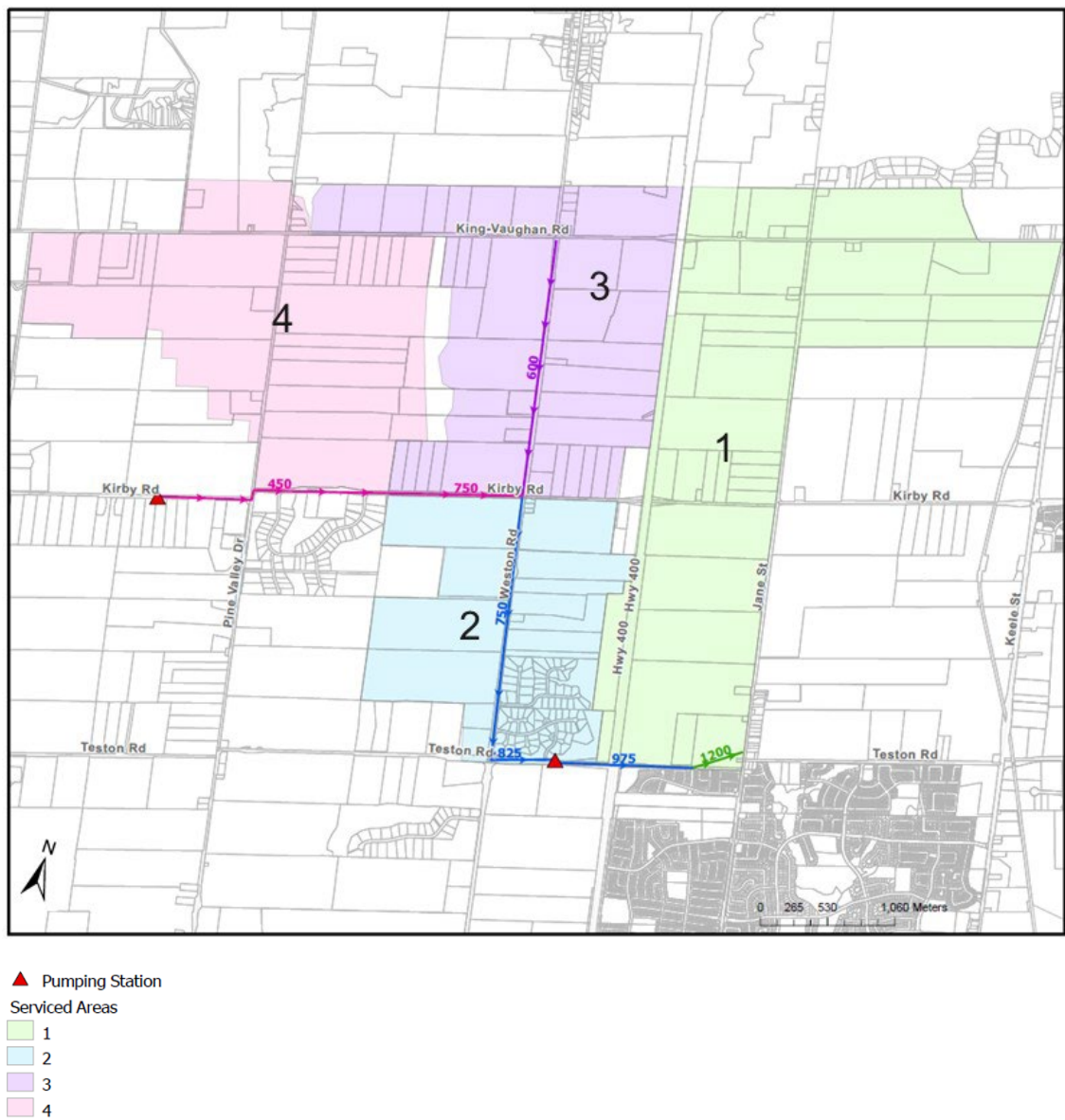
For the purposes of infrastructure planning and the application of ASDCs in the Teston Road West Sanitary Sewer Service Area, the areas are categorized as follows:

- The costs associated to the infrastructure necessary to facilitate development is delineated by segments A through D as shown in Figures A3 to A6. Each segment corresponds to a map where the ASDCs are applicable. For example, Segment A costs correspond to Map 1, Segment B to Map 2 and so on.
- Map 1 through 4 are shown in Figures A3 to A6 respectively. Each map represents the lands that benefit from each segment of infrastructure.
- The applicable ASDC charge is dependent on which area a particular property is located in. Therefore, multiple DCs could be applied pending on the area to which is being developed. Table A1 below outlines the applicable charges for development occurring in each of the four areas (related to the Test Road West Sanitary Sewer Area).

**Table A1 – Application of Charge per Net Developable Hectare for Teston Road West**

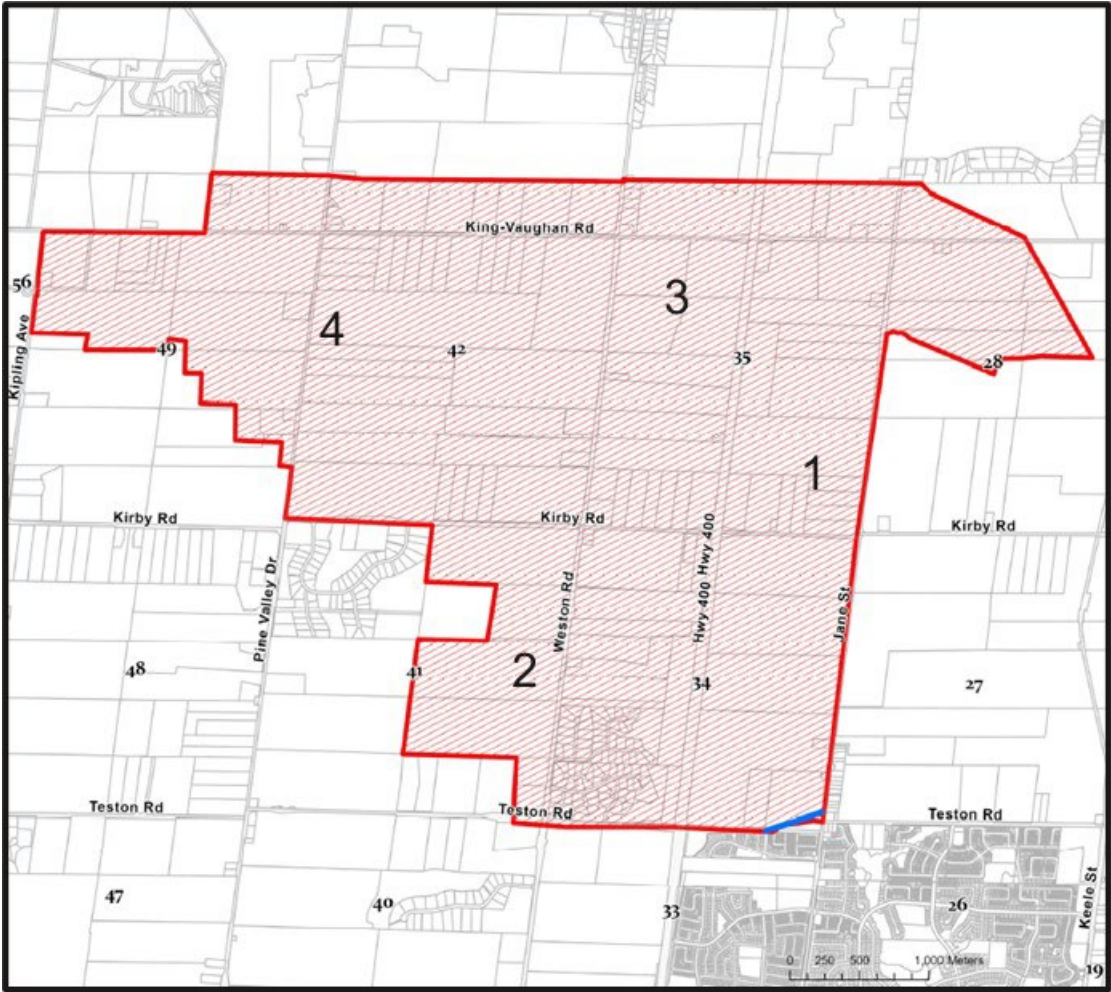
<b>Application of Charge for Teston Road West</b>	<b>Applicable Charge per Ha</b>
<b>Area 1</b>	
Map 1 (Segment A)	\$ 3,748.68
<b>Total</b>	<b>\$ 3,748.68</b>
<b>Area 2</b>	
Map 1 (Segment A)	\$ 3,748.68
Map 2 (Segment B)	\$ 124,005.07
<b>Total</b>	<b>\$ 127,753.75</b>
<b>Area 3</b>	
Map 1 (Segment A)	\$ 3,748.68
Map 2 (Segment B)	\$ 124,005.07
Map 3 (Segment C)	\$ 29,084.04
<b>Total</b>	<b>\$ 156,837.78</b>
<b>Area 4</b>	
Map 1 (Segment A)	\$ 3,748.68
Map 2 (Segment B)	\$ 124,005.07
Map 4 (Segment D)	\$ 172,609.70
<b>Total</b>	<b>\$ 300,363.44</b>

Figure A2 – Teston Road West Sanitary Sewer Service Area



*Note: Coloured lines with arrows denote proposed linear works. Numbers on this map denote “areas.”*

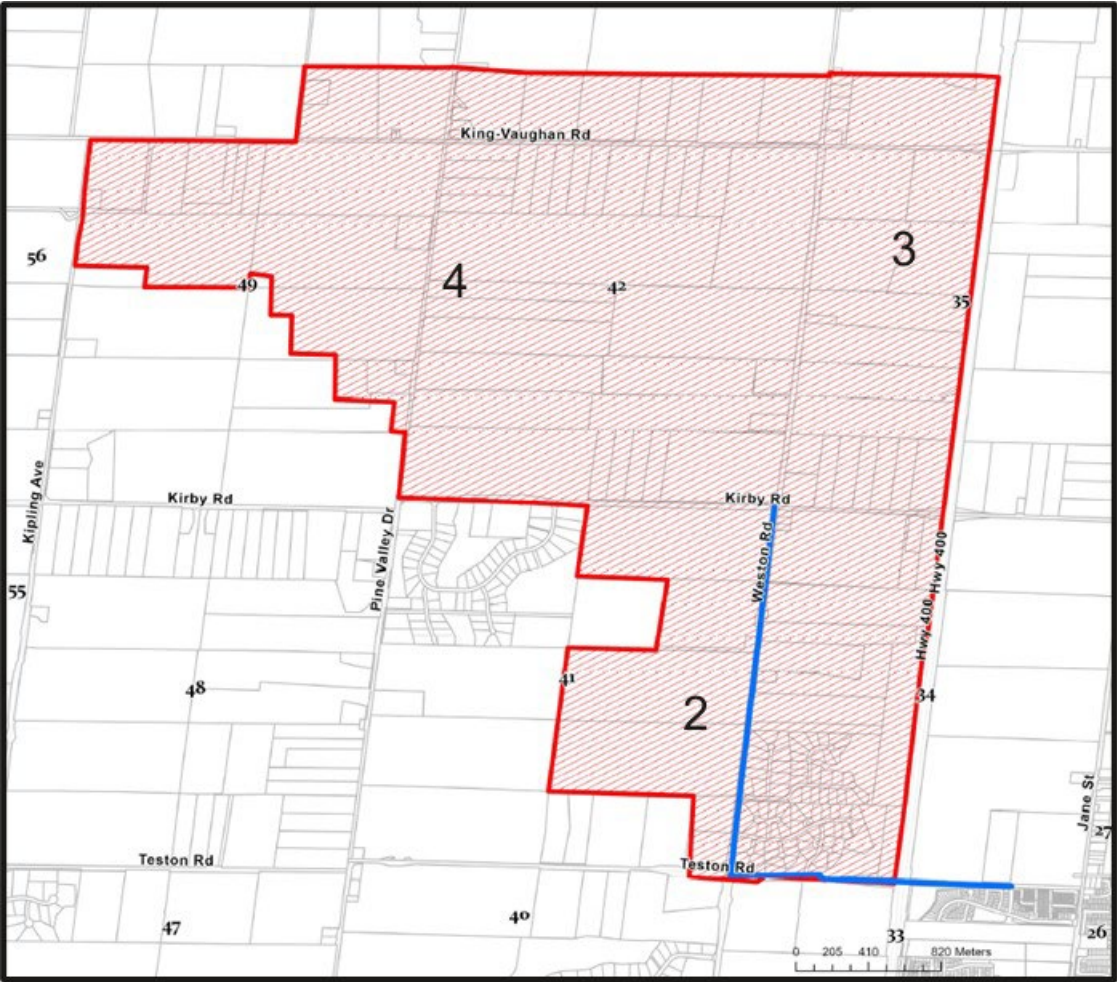
Figure A3 – Teston Road West Map 1 (Segment A)



Legend

- SERVICE AREA
- PROPOSED SANITARY WORKS

Figure A4 - Teston Road West Map 2 (Segment B)





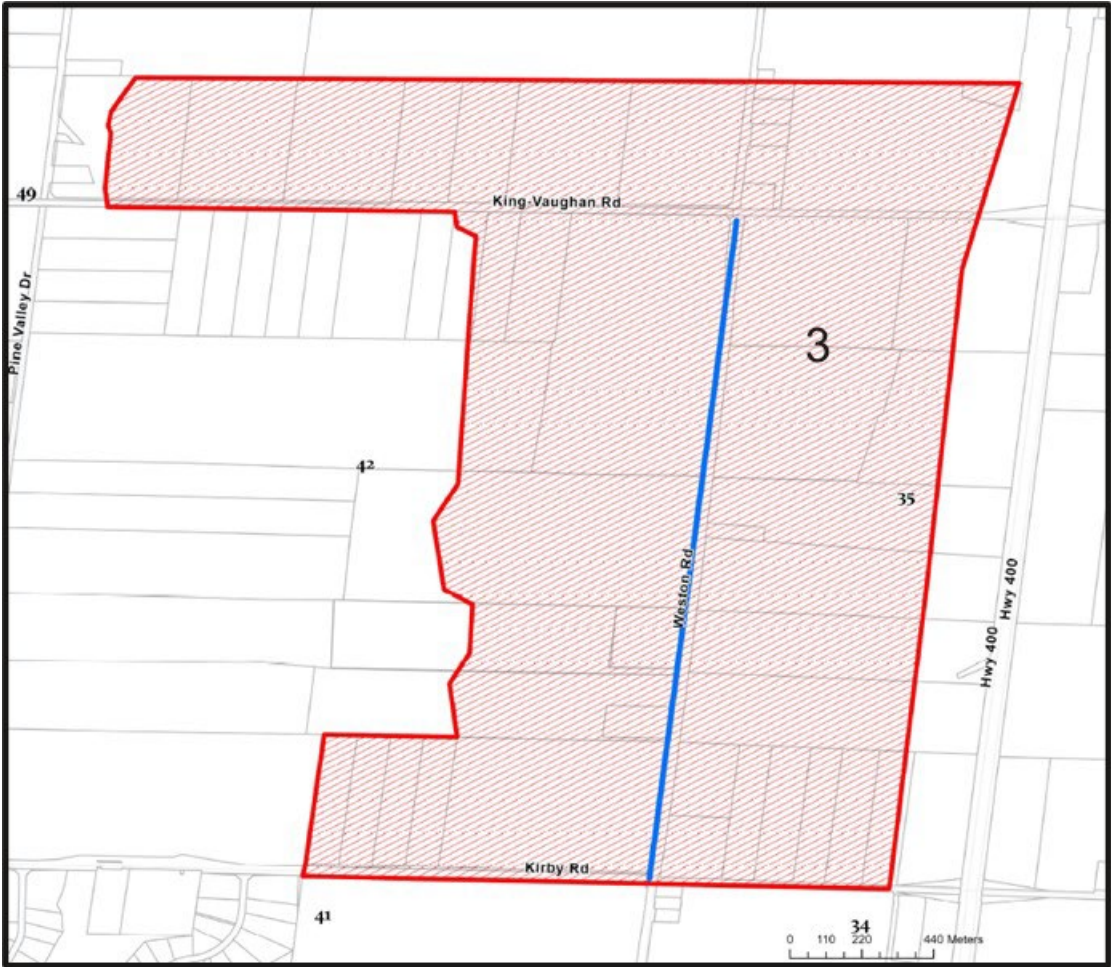
- Legend
-  SERVICE AREA
  -  PROPOSED SANITARY WORKS



Figure A5 – Teston Road West Map 3 (Segment C)





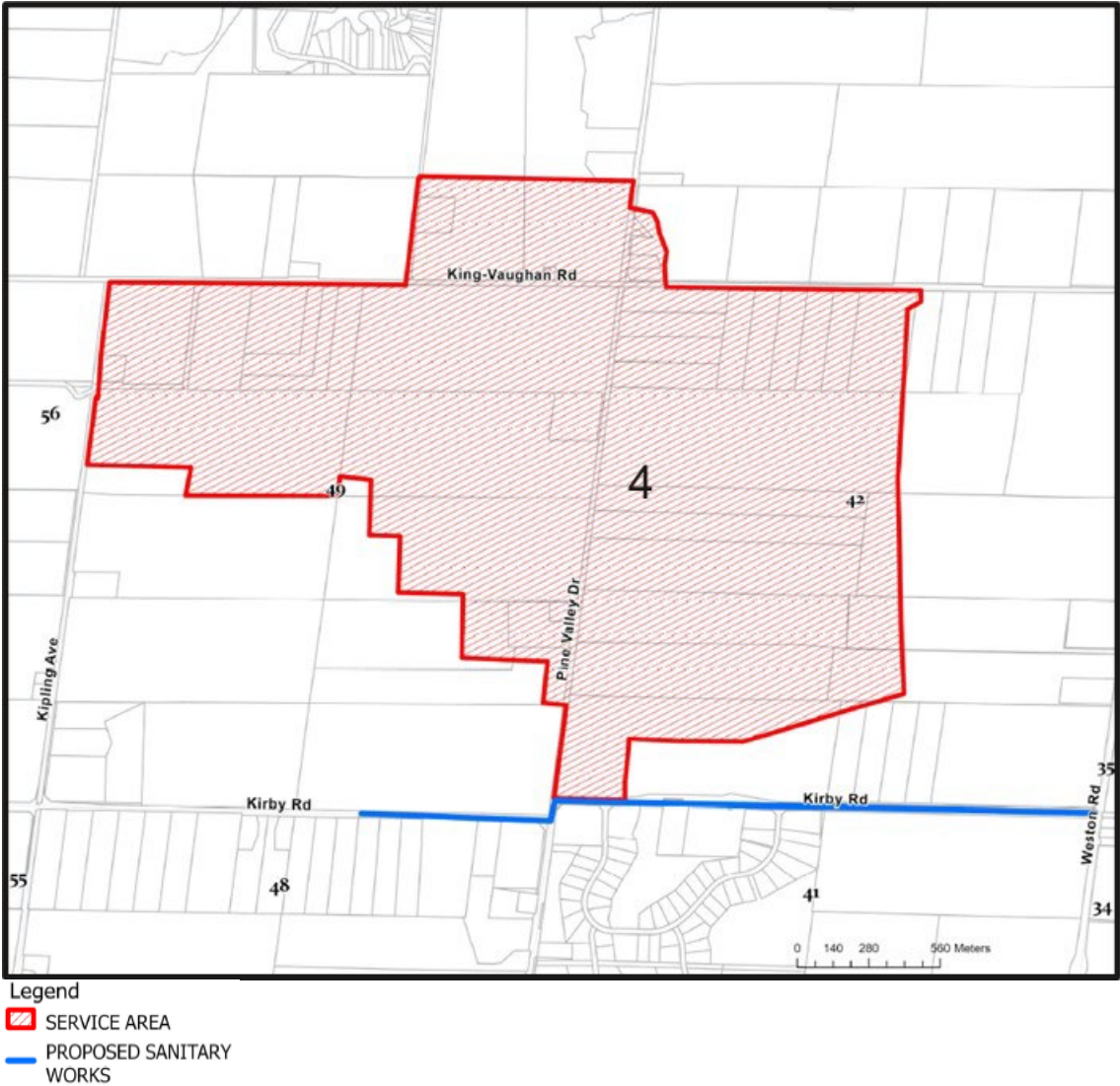
- Legend
-  SERVICE AREA
  -  PROPOSED SANITARY WORKS

Figure A6 – Teston Road West Map 4 (Segment D)







# *THE CITY OF VAUGHAN*

# *BY-LAW*

## **BY-LAW NUMBER XXX-2024**

**A By-Law to impose Area Specific Development Charges – Teston Road East Sanitary Sewer.**

**WHEREAS** subsection 2(1) of the *Development Charges Act, 1997*, S.O. 1997, c.27 (the “**Act**”) provides that the council of a municipality may by By-Law impose development charges against land to pay for increased capital costs required because of increased needs for services arising from the development of the area for which the By-Law applies;

**AND WHEREAS**, at the direction of Council of The Corporation of The City of Vaughan (the “**Council**”), Hemson Consulting Ltd. has prepared a Development Charge Background Study entitled “Teston Road East and West Sanitary Infrastructure Background Study”, dated November XX, 2024 (the “**Background Study**”), which indicated that the development of any land within The Corporation of The City of Vaughan will increase the need for services as defined therein;

**AND WHEREAS** as of September 17, 2024, Council made the Background Study and draft version of this By-Law available to the public in accordance with the Act;

**AND WHEREAS** on October 8, 2024, Council held a public meeting at which all persons in attendance were provided with an opportunity to make representations relating to the draft By-Law in respect of the Teston Road East and West Sanitary Infrastructure Background Study in accordance with the Act;

**AND WHEREAS** notice of the public meeting was given on September 17, 2024 in accordance with the Act and Ontario Regulation 82/98;

**AND WHEREAS** on November 19, 2024, Council by resolution adopted the Background Study and determined that it was not necessary to hold any further public meetings in respect of this By-Law;

**AND WHEREAS** Council passed a By-Law to impose and provide for payment of area specific development charges for the Teston Road East Sanitary Sewer.

**NOW THEREFORE** the Council of The Corporation of The City of Vaughan enacts as follows:

## **DEFINITIONS**

1. For the following words and phrases if used in this By-Law:

- (1) **“accessory use”** means the use of any building or structure that is naturally and normally:
  - (a) incidental;
  - (b) subordinate to; and
  - (c) devoted exclusively to the main use on the same lot; and for the purpose of this By-Law, detached buildings or structures which are accessory uses shall not exceed 100 square metres of gross floor area.
- (2) **“agreement”** means a contract between the City and an owner and any amendment thereto.
- (3) **“agricultural use”** means lands, buildings, or structures, excluding any portion thereof used as a dwelling unit, used, designed, or intended for use for the purpose of a bona fide farming operation, including, but not limited to, animal husbandry, dairying, livestock, fallow, field crops, removal of sod, forestry, fruit farming, horticulture, market gardening, pasturage, poultry keeping, equestrian facilities, and any other activities customarily carried on in the field of agriculture; but does not include a commercial use or a marijuana operation.
- (4) **“air supported structure”** means a structure consisting of a pliable membrane that achieves and maintains its shape and support by internal air pressure.
- (5) **“apartment building”** means a residential use building, or the residential use portion of a mixed-use building, other than a townhouse or stacked townhouse containing four or more dwelling units each of which shall have access to above grade common halls, stairs, elevators, and yards.
- (6) **“area specific development charge”** and **“special service area development charge”** mean a charge imposed with respect to growth-related net capital costs against a defined land area or per unit for specified services under the applicable By-Law.
- (7) **“atrium”** means a large open space extending through several floors in a building that is open to the ceiling.

- (8) **“basement”** means a storey, the floor of which is at least 0.75 metres below finished grade, provided that not more than one half of its height from the floor of the underside of the floor joist is below the finished grade.
- (9) **“building or structure”** means a permanent enclosed structure occupying an area greater than 10 square metres, consisting of a wall, roof, and/or floor, or any of them, or a structural system serving the function thereof, which includes, but is not limited to, air-supported structures or industrial tents; a canopy however shall not be considered a building or structure for the purpose of this By-Law and shall not attract development charges.
- (10) **“building permit”** means a permit issued under the *Building Code Act, 1992*, which permits the construction of a building or structure, or which permits the construction of the foundation of a building or structure.
- (11) **“canopy”** means an overhanging, projection, or covering connected to a principal use on the lands, such as over a gas bar or outdoor storage.
- (12) **“capital cost”** means costs incurred or proposed to be incurred by the City or a local board directly or by others on behalf of, and as authorized by, a Municipality or Local Board under an agreement, required for the provision of services designated in the By-Law within or outside the City:
- (a) to acquire land or an interest in land, including a leasehold interest;
  - (b) to improve land;
  - (c) to acquire, lease, construct, or improve buildings and structures;
  - (d) to acquire, lease, construct, or improve facilities including:
    - (i) rolling stock with an estimated useful life of seven (7) years or more years;
    - (ii) furniture and equipment, other than computer equipment; and
    - (iii) materials acquired for circulation, reference, or information purposes by a library board as defined in the Public Libraries Act, R.S.O. 1990, c. P. 44;
  - (e) to undertake studies in connection with any of the matters in clauses (a) to (d);
  - (f) of the development charge background study required before enactment of this By-Law; and

- (g) of interest on money borrowed to pay for costs described in any of the matters in clauses (a) to (d).
- (13) **“cellar”** means the portion of a building below the lowest storey which has more than one-half of its height from the floor to the underside of the floor joists below the finished grade.
- (14) **“City”** means The Corporation of The City of Vaughan.
- (15) **“college”** means a board of governors of a college of applied arts and technology established under the *Ontario Colleges of Applied Arts and Technology Act, 2002*, SO 2002, c 8, Sched F.
- (16) **“development”** means the construction, erection, or placing of one or more buildings or structures on land, or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, and includes redevelopment.
- (17) **“development charge”** means a charge imposed with respect to growth-related net capital costs against land under this By-Law.
- (18) **“duplex”** means a building comprising, by horizontal division, two dwelling units, each of which has a separate entrance to grade.
- (19) **“dwelling unit”** means a room or suite of two or more rooms, designed or intended for use by a single household in which sanitary conveniences are provided, and in which facilities are provided for cooking or the installation of cooking equipment.
- (20) **“engineering services”** means services related to a highway, and may include water supply services, waste water services, and storm water drainage and control services.
- (21) **“existing industrial building”** means an existing building or structure to be used, or designed or intended for:
- (a) manufacturing, producing, processing, storing, or distributing something;
  - (b) research or development in connection with manufacturing, producing, or processing something;
  - (c) retail sales by a manufacturer, producer, or processor of something they manufactured, produced, or processed, if the retail sales are at the site where the manufacturing, production, or processing takes place;
  - (d) office or administrative purposes, if they are:

- (i) carried out with respect to manufacturing, producing, processing, storage, or distributing of something; and
  - (ii) in or attached to the building or structure used for that manufacturing, producing, processing, storage, or distribution.
- (22) **“funeral home”** means a building or structure with facilities for the preparation of dead persons for burial or cremation, for the viewing of the body and for funeral services.
- (23) **“future development”** means development which requires a subsequent planning approval, in addition to a building permit, which planning approval shall include a site plan approval or the approval of a plan of condominium.
- (24) **“grade finished”** means the average elevation of the finished ground level at the wall(s).
- (25) **“gross floor area”** means, in the case of a non-residential building or structure or the non-residential portion of a mixed-use building or structure, the aggregate of the areas of each floor, whether above or below grade, measured between the exterior faces of the exterior walls of the building or structure or from the centre line of a common wall separating a non-residential and a residential use and
  - (a) includes the floor area of a mezzanine and the space occupied by interior walls and partitions;
  - (b) excludes, in the case of a building or structure containing an atrium, the sum of the areas of the atrium at the level of each floor surrounding the atrium above the floor level of the atrium;
  - (c) excludes the area of any self-contained structural self and rack storage facility approved by the Building Materials Commission under the *Building Code Act, 1992*, SO 1992, c 23;
  - (d) excludes the sum of the areas of each floor used, or designed or intended for use for the parking of motor vehicles unless the building or structure, or any part thereof, is a retail motor vehicle establishment or a standalone motor vehicle storage facility or a commercial public parking structure;
  - (e) exclude the surface area of swimming pools or the playing surfaces of indoor sport fields including but not limited to hockey arenas, and basketball courts; and
  - (f) for the purposes of this definition, notwithstanding any other section of this By-law, the non-residential portion of a mixed-use building is deemed to include one-half of any area common to the residential and non-residential portions of such mixed-use building or structure.
- (26) **“growth-related net capital cost”** means the portion of the net capital cost of services that is reasonably attributable to the need for such net capital costs that results or will result from development in all or a defined part of the City.

- (27) **“heritage property”** means a property that contains cultural heritage value as defined under the *Ontario Heritage Act*, RSO 1990, c O.18.
- (28) **“home occupation”** means an occupation permitted in a dwelling unit and which:
- (a) is clearly secondary to the use of the dwelling unit;
  - (b) does not change the external character of the dwelling unit; and
  - (c) does not create or become a public nuisance, in particular in respect to noise, traffic, or parking.
- (29) **“large apartment”** means a dwelling unit in an apartment building or plex or stacked townhouse that is 700 square feet or larger in size.
- (30) **“live-work unit”** means a unit intended for both residential and non-residential uses concurrently.
- (31) **“local board”** means a local board as defined in section 1 of the *Municipal Affairs Act*, RSO 1990, c M.46 other than a board as defined in subsection 1(1) of the *Education Act* RSO 1990, c E.2.
- (32) **“lot”** means a parcel of land which can be conveyed as a separate parcel pursuant to the provisions of the *Planning Act*, RSO, 1990 c P.13.
- (33) **“marijuana operation”** means the cultivation, growth, harvesting, processing, composting, destruction, packaging, storage and distribution of plants or parts of plants of the genus *Cannabis* (marijuana) with a license for sale as authorized under the *Cannabis Act*, SC 2018, c. 16.
- (34) **“mixed-use building”** means a building or structure containing a residential and non-residential use other than a home occupation.
- (35) **“mezzanine”** means a mezzanine as defined in the *Building Code Act*, 1992, SO 1992 c 23.
- (36) **“multiple unit dwelling”** includes townhouses, and all other residential uses that are not included in the definition of apartment, single detached dwelling, or semi-detached dwelling.
- (37) **“net area”** means the gross area of land less the area of lands conveyed or to be conveyed into public ownership for the purpose of open space, parks, woodlots, storm water management facilities, buffers and road widenings along Regional Roads, and

Ontario Hydro utility corridors, and less the area of any wood lots in private ownership if zoned as such, but shall include the area of all road allowances dedicated to the City.

- (38) **“net capital cost”** means the capital cost less capital grants, subsidies, and other contributions made to the City, or that the Council of the City anticipates will be made, including conveyances or payments under sections 42, 51, and 53 of the *Planning Act*, RSO 1990, c P.13 in respect of the capital cost.
- (39) **“owner”** means the owner of the land or a person who has made an application for an approval of the development of the land upon which a development charge or an area specific development charge is imposed.
- (40) **“place of worship”** means a building used for the gathering of a religious or faith-based organization for spiritual purposes.
- (41) **“plex”** means a duplex, a semi-detached duplex, a triplex, or a semi-detached triplex.
- (42) **“redevelopment”** means the construction, erection or placing of one or more buildings or structures on land where all or part of a building or structure has previously been demolished on such land or changing the use from a residential to non-residential use or from a non-residential to residential use or from one residential use to another form of residential use.
- (43) **“retail motor vehicle establishment”** means a building or structure used or designed or intended to be used for the sale, rental or servicing of motor vehicles, or any other function associated with the sale, rental or servicing of motor vehicles including but not limited to detailing, leasing and brokerage of motor vehicles, and short or long-term storage of customer motor vehicles. For a retail motor vehicle establishment, gross floor area includes the sum of the areas of each floor used or designed or intended for use for the parking or storage of motor vehicles, including customer and employee motor vehicles. An exemption may be granted to exclude the sum of the areas for customer and employee motor vehicles on terms and conditions to the satisfaction of the City.
- (44) **“semi-detached duplex”** means one of a pair of attached duplexes, each duplex divided vertically from the other by a party wall.
- (45) **“semi-detached dwelling”** means a building divided vertically into two dwelling units.
- (46) **“semi-detached triplex”** means one of a pair of triplexes divided vertically one from the other by a party wall.
- (47) **“services”** means services designated in this By-Law.

- (48) **“single detached dwelling”** and **“single detached”** means a residential building consisting of one dwelling unit that is not attached to another structure above grade. For greater certainty, a residential building consisting of one dwelling unit that is attached to another structure by footings only shall be considered a single-family dwelling for the purposes of this By-Law.
- (49) **“small apartment”** means a dwelling unit in an apartment building or a plex or stacked townhouse that is less than 700 square feet in size.
- (50) **“stacked townhouse”** means a building, other than a townhouse or apartment building, containing at least 3 dwelling units, each dwelling unit being separated from the other vertically and/or horizontally, and each dwelling unit having an entrance to grade shared with no more than 3 other units.
- (51) **“storey”** means the portion of a building other than the cellar or unfinished attic which lies between the surface of the floor and the surface of the next floor above, and if there is no floor above it, then the surface next above it, provided its height is not less than 2.3 metres.
- (52) **“standalone motor vehicle storage facility”** means a building or structure used or designed or intended for use for the storage or warehousing of motor vehicles that is separate from a retail motor vehicle establishment. For a standalone motor vehicle storage facility, gross floor area includes the sum of the areas of each floor used or designed or intended for use for the parking or storage of motor vehicles, including customer and employee motor vehicles. An exemption may be granted to exclude the sum of the areas for customer and employee motor vehicles on terms and conditions to the satisfaction of the City;
- (53) **“subdivision”** includes condominium.
- (54) **“temporary sales centre”** means a Building, including a trailer, that is designed or intended to be temporary, or intended to be removed from the land or demolished after use and which is used exclusively as an office or presentation centre, or both, for new building sales;
- (55) **“triplex”** means a building comprising 3 dwelling units, each of which has a separate entrance to grade.
- (56) **“university”** has the same meaning as defined in Section 171.1 of the *Education Act*, RSO 1990 c E.2.



- (57) **“use, commercial”** means the use of any land, building or structure for the purpose of buying and selling commodities or supplying services as distinguished from such uses as manufacturing or assembly of goods, warehousing, and construction.
- (58) **“use, industrial”** means the use of any land, building or structure for construction, warehousing, manufacturing, processing, or assembly of materials to finished products or byproducts, including the storage of such materials and products.
- (59) **“use, institutional”** means the use of any land, building or structure by any organization owned or operated for religious, educational, charitable, recreational, or governmental purposes, whether or not supported in whole or in part by public funds.
- (60) **“use, non-residential”** means the use of any land, building or structure, or any part thereof, for use other than a residential use, and shall include commercial use, industrial use, and institutional use.
- (61) **“use, residential”** means the use of any land, building or structure for a single detached dwelling, semi-detached dwelling, multiple unit dwelling, apartment, or any other type of household or dwelling unit.

## **Rules – Application, Exemptions and Exceptions**

2.

- (1) This By-Law applies to all land and to all uses of any land, building or structure within the City whether or not the land, building or structure, or use thereof, is exempt from taxation under Section 3 of the Assessment Act, R.S.O. 1990, c.A.31;
- (2) Despite subsection (1), this By-Law does not apply to any land, building or structure within the City owned by and used for the purposes of:
  - (a) a local board;
  - (b) a board of education as defined in section 1(1) of the *Education Act*, RSO 1990, c E.2;
  - (c) the City or any of its local boards including land leased by these entities from the Crown in right of Canada or Ontario;
  - (d) lands, buildings or structures owned by Metrolinx and used for transit related purposes;
  - (e) any area municipality within the Regional Municipality of York;
  - (f) the Regional Municipality of York or any of its local boards;

- (g) a public hospital receiving aid under the *Public Hospitals Act* RSO 1990 c P.40; and
  - (h) lands vested in or leased to a university/college that receives regular and ongoing operating funds from the government for the purposes of post-secondary education, if the development in respect of which the development charges would otherwise be payable is intended to be occupied and used by the university.
- (3) Development charges for the services designated in Schedule A shall be imposed upon the service area in Schedule B, specified in Schedule A, and shall be collected in accordance with this By-Law;;
- (4) Development charges provided for in subsection (3) apply where the development requires:
- (a) the passing of a zoning By-Law or of an amendment thereto under Section 34 of the *Planning Act*, R.S.O. 1990, c.P.13;
  - (b) the approval of a minor variance under Section 45 of the *Planning Act*, R.S.O. 1990, c.P.13;
  - (c) a conveyance of land to which a By-Law passed under subsection 50(7) of the *Planning Act*, R.S.O. 1990, c.P.13 applies;
  - (d) the approval of a plan of subdivision under Section 51 of the *Planning Act*, R.S.O. 1990, c.P.13;
  - (e) a consent under Section 53 of the *Planning Act*, R.S.O. 1990, c.P.13;
  - (f) the approval of a description under Section 50 of the *Condominium Act*, 1998, S.O. 1998, c.19; or
  - (g) the issuing of a permit under the *Building Code Act*, 1992, S.O. 1992 c.23 in relation to a building or structure.
- (5) The City shall not apply more than one development charge provided for in this By-Law on land even though two or more of the actions described in subsection 2(5) are required before the land can be developed.
- (6) Despite subsection 2(6), if two or more of the actions described in subsection 2(5) occur at different times and if the subsequent action or actions has the effect of increasing the need for services, a development charge shall be imposed, calculated, and collected pursuant to subsection 2(3) limited to the increase.

- (7) Notwithstanding any other provisions of this By-Law, a building or structure shall be exempt from the payment of development charges provided that it is for:
- (a) a temporary use permitted under a zoning By-Law enacted under Section 39 of the *Planning Act*, R.S.O. 1990, c.P.13;
  - (b) an accessory use and, without restricting the generality of the foregoing, including a tent or canopy used on a temporary or seasonal basis;
  - (c) a home occupation;
  - (d) an agricultural use;
  - (e) a renovation of an existing building which does not alter, if a residential use, the number of units, or, if a non-residential use, the gross floor area thereof;
  - (f) a temporary sales centre;
  - (g) the relocation of a built heritage structure that is listed under Section 27 of the *Ontario Heritage Act* or designated under Part IV or V of the *Ontario Heritage Act* RSO 1990 c O.18; or
  - (h) Land, buildings or structures used or to be used for the purposes of a cemetery or burial ground exempt from taxation under the Assessment Act or any successor thereto, including mausoleums and columbariums, but excluding funeral homes; or
  - (i) Buildings or structures owned by and used for the purpose of a conservation authority, unless such buildings or structures are used primarily for, or in connection with (i) recreational purposes for which the conservation authority charges admission, or (ii) any commercial use.
- (8) Area specific development charges paid hereunder shall be maintained in a separate reserve fund or funds and shall be used only for the services specified in Schedule A.

### **Places of Worship**

- (9) Despite subsection 2(3), development charges shall not be imposed in respect of the gross floor area of a place of worship to a maximum of 5,000 square feet (or 464.5

square metres) or in respect of that portion of the gross floor area of a place of worship which is used as an area for worship, whichever is greater.

### **Mixed Use**

- (10) Development charges applicable to a mixed-use building shall be the aggregate of the amount applicable to the residential use component and the amount applicable to the gross floor area of the non-residential use component.
- (11) Live-work units will be assessed at the residential rate based on the assigned class and the non-residential rate for the gross floor area related to the non-residential use.

### **ADMINISTRATION**

#### **Development Charge Payment and Calculation Date**

3.

- (1) All development charges payable shall be paid by certified funds to the City Treasurer;
- (2) Subject to subsections 3(3), 3(4) and 3(5) of this By-Law, development charges imposed shall be calculated as of, and shall be payable on, the date a building permit is issued in respect of a building or structure on land to which a development charge applies, and no building permit shall be issued until the development charge is paid in full;
- (3) Notwithstanding subsection 3(2) of this By-Law and provided that the City and the owner(s) of the land have not entered into an agreement pursuant to subsection 3(4) of this By-Law, the development charge shall be payable, subject to any applicable exemptions or reductions contained in this By-Law:
  - (a) In respect of an approval of a plan of subdivision pursuant to section 51 of the *Planning Act*, 1990 R.S.O. 1990, c.P.13, immediately upon entering into the subdivision agreement; and
  - (b) In respect of the granting of a consent pursuant to section 53 of the *Planning Act*, 1990 R.S.O. 1990, c.P.13, immediately upon entering into an agreement made as a condition of the granting of such consent;
- (4) Where the City and owner(s) of the land have entered into an agreement pursuant to section 27 of the Act in respect of the timing of the payment of a development charge or a portion thereof, the terms of such agreement shall prevail over the provisions of this By-Law, including subsections 3(2), 3(3) and 3(5) of this By-Law;

- (5) Notwithstanding subsections 3(2) and 3(3) of this By-Law and provided that the City and the owner(s) of the land have not entered into an agreement pursuant to subsection 3(4) of this By-Law, developments that are eligible pursuant to sections 26.1 or 26.2 of the Act shall have development charges calculated and payable in accordance with section 26.1 and/or 26.2 of the Act and interest thereon shall be calculated and payable in accordance with the City's policy, entitled "DC Interest Policy Under Sections 26.1, 26.2 and 26.3 of the Development Charges Act, 1997", as amended from time to time;
- (6) If a use of any land, building or structure that constitutes development does not require the issuing of a building permit but requires one or more of the actions listed in subsection 2(5) inclusive, a development charge shall be payable and shall be calculated and collected on the earliest of any of the actions listed in subsection 2(5) required, or on a date set by agreement;
- (7) Nothing in this By-Law shall prevent Council from requiring, as a condition of any approval pursuant to the *Planning Act*, 1990 R.S.O. 1990, c.P.13, that the owner(s) of land install such local services as Council may require in accordance with the City's policy in respect of local services;

#### **Credits**

4.

- (1) Where the City permits the provision of services in lieu of the payment of all or any portion of a development charge, the City shall give a credit for an amount equal to the reasonable cost to the owner of providing the services, as determined by the City, provided such credit shall relate only to the portion of the development charge attributable to the services provided, unless otherwise agreed by the City;
- (2) The City may by agreement permit an owner to provide services additional to or of a greater size or capacity than is required, and the City may give a credit for an amount up to the reasonable cost to the owner of providing the services as determined by the City, provided that no such credit may be given for any part of the cost of work that relates to an increase in the level of service that exceeds the average level of service described in Paragraph 4 of Subsection 5(1) of the *Development Charges Act*, 1997;

#### **Annual Adjustment**

5.

- (1) The development charges established pursuant to Section 2 of this By-Law shall be adjusted annually, without amendment to this By-Law, as of the 1<sup>st</sup> day of July in each year, commencing on July 1, 2025, in accordance with the most recent change in the Statistics Canada Quarterly, Non-Residential Building Construction Price Index for Toronto (Table 18-10-0135-01 or any successor table);

## **GENERAL**

### **Term**

6.
  - (1) This By-Law shall come into force and effect on November 19, 2024;
  - (2) Nothing in this By-Law shall be construed so as to commit or require the City to authorize or proceed with any specific capital project at any specific time;

### **Transitional Provisions**

7.
  - (1) If before the coming into force of this By-Law an owner or previous owner has made a payment for services described in this By-Law, or provided services in lieu thereof, no payment as required under this By-Law and no credits or refunds shall apply;

### **Schedules**

8.
  - (1) Schedules A and B are attached hereto and form part of this By-Law;

### **Registration**

9.
  - (1) A certified copy of this By-Law may be registered in the By-Law register in the York Region Land Registry Office and/or against the title to any land to which this By-Law applies;

### **Severability**

10.
  - (1) In the event that any provision of this By-Law is found by a court or tribunal of competent jurisdiction to be invalid, such provision shall be deemed to be severed, and the remaining provisions of this By-Law shall remain in full force and effect;

### **Headings**

11.
  - (1) The headings inserted in this By-Law are for convenience of reference only and shall not affect the interpretation of this By-Law;

**Short Title**

12.

- (1) This By-Law may be cited as the Area Specific Development Charges By-Law – Teston Road East Sanitary Sewer.

Enacted by City of Vaughan Council this 19<sup>th</sup> day of November, 2024.

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Hon. Steven Del Duca, Mayor

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Todd Coles, City Clerk

Authorized by Item No. X of Report No. XX  
of the Committee of the Whole  
Adopted by Vaughan City Council on November 19, 2024

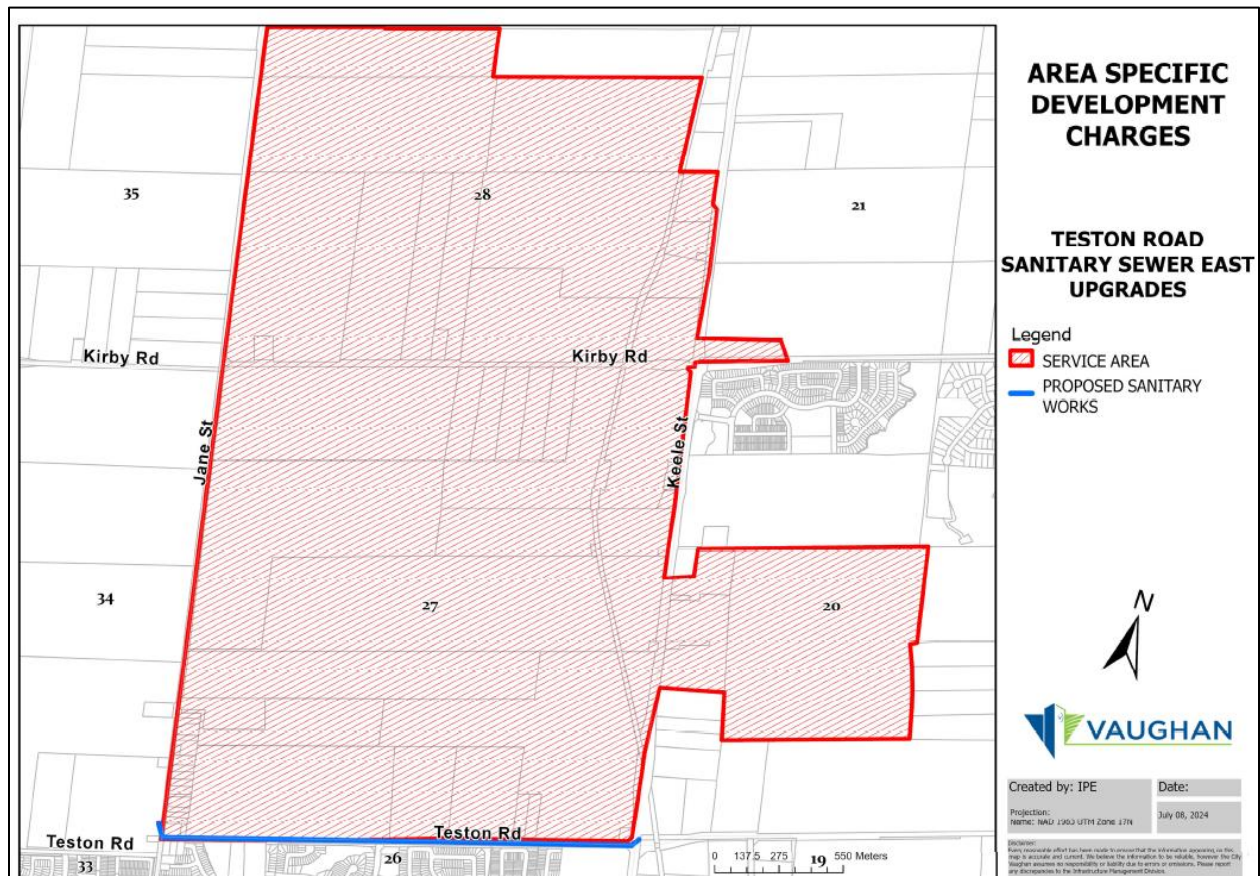
**Schedule A:**

**Area Specific Development Charge Calculation**

<b>Service</b>	<b>Net Capital Cost</b>	<b>Net Area (ha)</b>	<b>Rate Per Net Area (\$/ha)</b>
Teston Road East Sanitary Sewer	\$27,573,405	443.55	\$62,165



## Schedule B:





# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

## **BY-LAW NUMBER XXX-2024**

### **A By-Law to impose Area Specific Development Charges – Teston Road West Sanitary Infrastructure.**

**WHEREAS** subsection 2(1) of the *Development Charges Act, 1997*, S.O. 1997, c.27 (the “**Act**”) provides that the council of a municipality may by By-Law impose development charges against land to pay for increased capital costs required because of increased needs for services arising from the development of the area for which the By-Law applies;

**AND WHEREAS**, at the direction of Council of The Corporation of The City of Vaughan (the “**Council**”), Hemson Consulting Ltd. has prepared a Development Charge Background Study entitled “Teston Road East and West Sanitary Infrastructure Background Study”, dated November 19, 2024 (the “**Background Study**”), which indicated that the development of any land within The Corporation of The City of Vaughan will increase the need for services as defined therein;

**AND WHEREAS** as of September 17, 2024, Council made the Background Study and draft version of this By-Law available to the public in accordance with the Act;

**AND WHEREAS** on October 8, 2024, Council held a public meeting at which all persons in attendance were provided with an opportunity to make representations relating to the draft By-Law in respect of the Teston Road East and West Sanitary Infrastructure Background Study in accordance with the Act;

**AND WHEREAS** notice of the public meeting was given on September 17, 2024 in accordance with the Act and Ontario Regulation 82/98;

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**NOW THEREFORE** the Council of The Corporation of The City of Vaughan enacts as follows:

## **DEFINITIONS**

1. For the following words and phrases if used in this By-Law:

- (1) **“accessory use”** means the use of any building or structure that is naturally and normally:
  - (a) incidental;
  - (b) subordinate to; and
  - (c) devoted exclusively to the main use on the same lot; and for the purpose of this By-Law, detached buildings or structures which are accessory uses shall not exceed 100 square metres of gross floor area.
- (2) **“agreement”** means a contract between the City and an owner and any amendment thereto.
- (3) **“agricultural use”** means lands, buildings, or structures, excluding any portion thereof used as a dwelling unit, used, designed, or intended for use for the purpose of a bona fide farming operation, including, but not limited to, animal husbandry, dairying, livestock, fallow, field crops, removal of sod, forestry, fruit farming, horticulture, market gardening, pasturage, poultry keeping, equestrian facilities, and any other activities customarily carried on in the field of agriculture; but does not include a commercial use or a marijuana operation.
- (4) **“air supported structure”** means a structure consisting of a pliable membrane that achieves and maintains its shape and support by internal air pressure.
- (5) **“apartment building”** means a residential use building, or the residential use portion of a mixed-use building, other than a townhouse or stacked townhouse containing four or more dwelling units each of which shall have access to above grade common halls, stairs, elevators, and yards.
- (6) **“area specific development charge”** and **“special service area development charge”** mean a charge imposed with respect to growth-related net capital costs against a defined land area or per unit for specified services under the applicable By-Law.
- (7) **“atrium”** means a large open space extending through several floors in a building that is open to the ceiling.

- (8) **“basement”** means a storey, the floor of which is at least 0.75 metres below finished grade, provided that not more than one half of its height from the floor of the underside of the floor joist is below the finished grade.
- (9) **“building or structure”** means a permanent enclosed structure occupying an area greater than 10 square metres, consisting of a wall, roof, and/or floor, or any of them, or a structural system serving the function thereof, which includes, but is not limited to, air-supported structures or industrial tents; a canopy however shall not be considered a building or structure for the purpose of this By-Law and shall not attract development charges.
- (10) **“building permit”** means a permit issued under the *Building Code Act, 1992*, which permits the construction of a building or structure, or which permits the construction of the foundation of a building or structure.
- (11) **“canopy”** means an overhanging, projection, or covering connected to a principal use on the lands, such as over a gas bar or outdoor storage.
- (12) **“capital cost”** means costs incurred or proposed to be incurred by the City or a local board directly or by others on behalf of, and as authorized by, a Municipality or Local Board under an agreement, required for the provision of services designated in the By-Law within or outside the City:
- (a) to acquire land or an interest in land, including a leasehold interest;
  - (b) to improve land;
  - (c) to acquire, lease, construct, or improve buildings and structures;
  - (d) to acquire, lease, construct, or improve facilities including:
    - (i) rolling stock with an estimated useful life of seven (7) years or more years;
    - (ii) furniture and equipment, other than computer equipment; and
    - (iii) materials acquired for circulation, reference, or information purposes by a library board as defined in the Public Libraries Act, R.S.O. 1990, c. P. 44;
  - (e) to undertake studies in connection with any of the matters in clauses (a) to (d);
  - (f) of the development charge background study required before enactment of this By-Law; and

- (g) of interest on money borrowed to pay for costs described in any of the matters in clauses (a) to (d).
- (13) **“cellar”** means the portion of a building below the lowest storey which has more than one-half of its height from the floor to the underside of the floor joists below the finished grade.
- (14) **“City”** means The Corporation of The City of Vaughan.
- (15) **“college”** means a board of governors of a college of applied arts and technology established under the *Ontario Colleges of Applied Arts and Technology Act, 2002*, SO 2002, c 8, Sched F.
- (16) **“development”** means the construction, erection, or placing of one or more buildings or structures on land, or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, and includes redevelopment.
- (17) **“development charge”** means a charge imposed with respect to growth-related net capital costs against land under this By-Law.
- (18) **“duplex”** means a building comprising, by horizontal division, two dwelling units, each of which has a separate entrance to grade.
- (19) **“dwelling unit”** means a room or suite of two or more rooms, designed or intended for use by a single household in which sanitary conveniences are provided, and in which facilities are provided for cooking or the installation of cooking equipment.
- (20) **“engineering services”** means services related to a highway, and may include water supply services, waste water services, and storm water drainage and control services.
- (21) **“existing industrial building”** means an existing building or structure to be used, or designed or intended for:
- (a) manufacturing, producing, processing, storing, or distributing something;
  - (b) research or development in connection with manufacturing, producing, or processing something;
  - (c) retail sales by a manufacturer, producer, or processor of something they manufactured, produced, or processed, if the retail sales are at the site where the manufacturing, production, or processing takes place;
  - (d) office or administrative purposes, if they are:

- (i) carried out with respect to manufacturing, producing, processing, storage, or distributing of something; and
  - (ii) in or attached to the building or structure used for that manufacturing, producing, processing, storage, or distribution.
- (22) **“funeral home”** means a building or structure with facilities for the preparation of dead persons for burial or cremation, for the viewing of the body and for funeral services.
- (23) **“future development”** means development which requires a subsequent planning approval, in addition to a building permit, which planning approval shall include a site plan approval or the approval of a plan of condominium.
- (24) **“grade finished”** means the average elevation of the finished ground level at the wall(s).
- (25) **“gross floor area”** means, in the case of a non-residential building or structure or the non-residential portion of a mixed-use building or structure, the aggregate of the areas of each floor, whether above or below grade, measured between the exterior faces of the exterior walls of the building or structure or from the centre line of a common wall separating a non-residential and a residential use and
  - (a) includes the floor area of a mezzanine and the space occupied by interior walls and partitions;
  - (b) excludes, in the case of a building or structure containing an atrium, the sum of the areas of the atrium at the level of each floor surrounding the atrium above the floor level of the atrium;
  - (c) excludes the area of any self-contained structural self and rack storage facility approved by the Building Materials Commission under the *Building Code Act, 1992*, SO 1992, c 23;
  - (d) excludes the sum of the areas of each floor used, or designed or intended for use for the parking of motor vehicles unless the building or structure, or any part thereof, is a retail motor vehicle establishment or a standalone motor vehicle storage facility or a commercial public parking structure;
  - (e) exclude the surface area of swimming pools or the playing surfaces of indoor sport fields including but not limited to hockey arenas, and basketball courts; and
  - (f) for the purposes of this definition, notwithstanding any other section of this By-law, the non-residential portion of a mixed-use building is deemed to include one-half of any area common to the residential and non-residential portions of such mixed-use building or structure.
- (26) **“growth-related net capital cost”** means the portion of the net capital cost of services that is reasonably attributable to the need for such net capital costs that results or will result from development in all or a defined part of the City.

- (27) **“heritage property”** means a property that contains cultural heritage value as defined under the *Ontario Heritage Act*, RSO 1990, c O.18.
- (28) **“home occupation”** means an occupation permitted in a dwelling unit and which:
- (a) is clearly secondary to the use of the dwelling unit;
  - (b) does not change the external character of the dwelling unit; and
  - (c) does not create or become a public nuisance, in particular in respect to noise, traffic, or parking.
- (29) **“large apartment”** means a dwelling unit in an apartment building or plex or stacked townhouse that is 700 square feet or larger in size.
- (30) **“live-work unit”** means a unit intended for both residential and non-residential uses concurrently.
- (31) **“local board”** means a local board as defined in section 1 of the *Municipal Affairs Act*, RSO 1990, c M.46 other than a board as defined in subsection 1(1) of the *Education Act* RSO 1990, c E.2.
- (32) **“lot”** means a parcel of land which can be conveyed as a separate parcel pursuant to the provisions of the *Planning Act*, RSO, 1990 c P.13.
- (33) **“marijuana operation”** means the cultivation, growth, harvesting, processing, composting, destruction, packaging, storage and distribution of plants or parts of plants of the genus *Cannabis* (marijuana) with a license for sale as authorized under the *Cannabis Act*, SC 2018, c. 16.
- (34) **“mixed-use building”** means a building or structure containing a residential and non-residential use other than a home occupation.
- (35) **“mezzanine”** means a mezzanine as defined in the *Building Code Act*, 1992, SO 1992 c 23.
- (36) **“multiple unit dwelling”** includes townhouses, and all other residential uses that are not included in the definition of apartment, single detached dwelling, or semi-detached dwelling.
- (37) **“net area”** means the gross area of land less the area of lands conveyed or to be conveyed into public ownership for the purpose of open space, parks, woodlots, storm water management facilities, buffers and road widenings along Regional Roads, and



Ontario Hydro utility corridors, and less the area of any wood lots in private ownership if zoned as such, but shall include the area of all road allowances dedicated to the City.

- (38) **“net capital cost”** means the capital cost less capital grants, subsidies, and other contributions made to the City, or that the Council of the City anticipates will be made, including conveyances or payments under sections 42, 51, and 53 of the *Planning Act*, RSO 1990, c P.13 in respect of the capital cost.
- (39) **“owner”** means the owner of the land or a person who has made an application for an approval of the development of the land upon which a development charge or an area specific development charge is imposed.
- (40) **“place of worship”** means a building used for the gathering of a religious or faith-based organization for spiritual purposes.
- (41) **“plex”** means a duplex, a semi-detached duplex, a triplex, or a semi-detached triplex.
- (42) **“redevelopment”** means the construction, erection or placing of one or more buildings or structures on land where all or part of a building or structure has previously been demolished on such land or changing the use from a residential to non-residential use or from a non-residential to residential use or from one residential use to another form of residential use.
- (43) **“retail motor vehicle establishment”** means a building or structure used or designed or intended to be used for the sale, rental or servicing of motor vehicles, or any other function associated with the sale, rental or servicing of motor vehicles including but not limited to detailing, leasing and brokerage of motor vehicles, and short or long-term storage of customer motor vehicles. For a retail motor vehicle establishment, gross floor area includes the sum of the areas of each floor used or designed or intended for use for the parking or storage of motor vehicles, including customer and employee motor vehicles. An exemption may be granted to exclude the sum of the areas for customer and employee motor vehicles on terms and conditions to the satisfaction of the City.
- (44) **“semi-detached duplex”** means one of a pair of attached duplexes, each duplex divided vertically from the other by a party wall.
- (45) **“semi-detached dwelling”** means a building divided vertically into two dwelling units.
- (46) **“semi-detached triplex”** means one of a pair of triplexes divided vertically one from the other by a party wall.
- (47) **“services”** means services designated in this By-Law.

- (48) **“single detached dwelling”** and **“single detached”** means a residential building consisting of one dwelling unit that is not attached to another structure above grade. For greater certainty, a residential building consisting of one dwelling unit that is attached to another structure by footings only shall be considered a single-family dwelling for the purposes of this By-Law.
- (49) **“small apartment”** means a dwelling unit in an apartment building or a plex or stacked townhouse that is less than 700 square feet in size.
- (50) **“stacked townhouse”** means a building, other than a townhouse or apartment building, containing at least 3 dwelling units, each dwelling unit being separated from the other vertically and/or horizontally, and each dwelling unit having an entrance to grade shared with no more than 3 other units.
- (51) **“storey”** means the portion of a building other than the cellar or unfinished attic which lies between the surface of the floor and the surface of the next floor above, and if there is no floor above it, then the surface next above it, provided its height is not less than 2.3 metres.
- (52) **“standalone motor vehicle storage facility”** means a building or structure used or designed or intended for use for the storage or warehousing of motor vehicles that is separate from a retail motor vehicle establishment. For a standalone motor vehicle storage facility, gross floor area includes the sum of the areas of each floor used or designed or intended for use for the parking or storage of motor vehicles, including customer and employee motor vehicles. An exemption may be granted to exclude the sum of the areas for customer and employee motor vehicles on terms and conditions to the satisfaction of the City;
- (53) **“subdivision”** includes condominium.
- (54) **“temporary sales centre”** means a Building, including a trailer, that is designed or intended to be temporary, or intended to be removed from the land or demolished after use and which is used exclusively as an office or presentation centre, or both, for new building sales;
- (55) **“triplex”** means a building comprising 3 dwelling units, each of which has a separate entrance to grade.
- (56) **“university”** has the same meaning as defined in Section 171.1 of the *Education Act*, RSO 1990 c E.2.

- (57) **“use, commercial”** means the use of any land, building or structure for the purpose of buying and selling commodities or supplying services as distinguished from such uses as manufacturing or assembly of goods, warehousing, and construction.
- (58) **“use, industrial”** means the use of any land, building or structure for construction, warehousing, manufacturing, processing, or assembly of materials to finished products or byproducts, including the storage of such materials and products.
- (59) **“use, institutional”** means the use of any land, building or structure by any organization owned or operated for religious, educational, charitable, recreational, or governmental purposes, whether or not supported in whole or in part by public funds.
- (60) **“use, non-residential”** means the use of any land, building or structure, or any part thereof, for use other than a residential use, and shall include commercial use, industrial use, and institutional use.
- (61) **“use, residential”** means the use of any land, building or structure for a single detached dwelling, semi-detached dwelling, multiple unit dwelling, apartment, or any other type of household or dwelling unit.

## **Rules – Application, Exemptions and Exceptions**

2.

- (1) This By-Law applies to all land and to all uses of any land, building or structure within the City whether or not the land, building or structure, or use thereof, is exempt from taxation under Section 3 of the Assessment Act, R.S.O. 1990, c.A.31;
- (2) Despite subsection (1), this By-Law does not apply to any land, building or structure within the City owned by and used for the purposes of:
  - (a) a local board;
  - (b) a board of education as defined in section 1(1) of the *Education Act*, RSO 1990, c E.2;
  - (c) the City or any of its local boards including land leased by these entities from the Crown in right of Canada or Ontario;
  - (d) lands, buildings or structures owned by Metrolinx and used for transit related purposes;
  - (e) any area municipality within the Regional Municipality of York;
  - (f) the Regional Municipality of York or any of its local boards;

- (g) a public hospital receiving aid under the *Public Hospitals Act* RSO 1990 c P.40; and
  - (h) lands vested in or leased to a university/college that receives regular and ongoing operating funds from the government for the purposes of post-secondary education, if the development in respect of which the development charges would otherwise be payable is intended to be occupied and used by the university.
- (3) Development charges for the services designated in Schedule A shall be imposed upon the service area in Schedule B, specified in Schedule A, and shall be collected in accordance with this By-Law;
- (4) Development charges provided for in subsection (3) apply where the development requires:
- (a) the passing of a zoning By-Law or of an amendment thereto under Section 34 of the *Planning Act*, R.S.O. 1990, c.P.13;
  - (b) the approval of a minor variance under Section 45 of the *Planning Act*, R.S.O. 1990, c.P.13;
  - (c) a conveyance of land to which a By-Law passed under subsection 50(7) of the *Planning Act*, R.S.O. 1990, c.P.13 applies;
  - (d) the approval of a plan of subdivision under Section 51 of the *Planning Act*, R.S.O. 1990, c.P.13;
  - (e) a consent under Section 53 of the *Planning Act*, R.S.O. 1990, c.P.13;
  - (f) the approval of a description under Section 50 of the *Condominium Act*, 1998, S.O. 1998, c.19; or
  - (g) the issuing of a permit under the *Building Code Act*, 1992, S.O. 1992 c.23 in relation to a building or structure.
- (5) The City shall not apply more than one development charge provided for in this By-Law on land even though two or more of the actions described in subsection 2(5) are required before the land can be developed.
- (6) Despite subsection 2(6), if two or more of the actions described in subsection 2(5) occur at different times and if the subsequent action or actions has the effect of

increasing the need for services, a development charge shall be imposed, calculated, and collected pursuant to subsection 2(3) limited to the increase.

- (7) Notwithstanding any other provisions of this By-Law, a building or structure shall be exempt from the payment of development charges provided that it is for:
- (a) a temporary use permitted under a zoning By-Law enacted under Section 39 of the *Planning Act*, R.S.O. 1990, c.P.13;
  - (b) an accessory use and, without restricting the generality of the foregoing, including a tent or canopy used on a temporary or seasonal basis;
  - (c) a home occupation;
  - (d) an agricultural use;
  - (e) a renovation of an existing building which does not alter, if a residential use, the number of units, or, if a non-residential use, the gross floor area thereof;
  - (f) a temporary sales centre;
  - (g) the relocation of a built heritage structure that is listed under Section 27 of the *Ontario Heritage Act* or designated under Part IV or V of the *Ontario Heritage Act* RSO 1990 c O.18; or
  - (h) Land, buildings or structures used or to be used for the purposes of a cemetery or burial ground exempt from taxation under the Assessment Act or any successor thereto, including mausoleums and columbariums, but excluding funeral homes; or
  - (i) Buildings or structures owned by and used for the purpose of a conservation authority, unless such buildings or structures are used primarily for, or in connection with (i) recreational purposes for which the conservation authority charges admission, or (ii) any commercial use.
- (8) Area specific development charges paid hereunder shall be maintained in a separate reserve fund or funds and shall be used only for the services specified in Schedule A.

## Places of Worship

- (9) Despite subsection 2(3), development charges shall not be imposed in respect of the gross floor area of a place of worship to a maximum of 5,000 square feet (or 464.5 square metres) or in respect of that portion of the gross floor area of a place of worship which is used as an area for worship, whichever is greater.

### **Mixed Use**

- (10) Development charges applicable to a mixed-use building shall be the aggregate of the amount applicable to the residential use component and the amount applicable to the gross floor area of the non-residential use component.
- (11) Live-work units will be assessed at the residential rate based on the assigned class and the non-residential rate for the gross floor area related to the non-residential use.

### **ADMINISTRATION**

#### **Development Charge Payment and Calculation Date**

3.

- (1) All development charges payable shall be paid by certified funds to the City Treasurer;
- (2) Subject to subsections 3(3), 3(4) and 3(5) of this By-Law, development charges imposed shall be calculated as of, and shall be payable on, the date a building permit is issued in respect of a building or structure on land to which a development charge applies, and no building permit shall be issued until the development charge is paid in full;
- (3) Notwithstanding subsection 3(2) of this By-Law and provided that the City and the owner(s) of the land have not entered into an agreement pursuant to subsection 3(4) of this By-Law, the development charge shall be payable, subject to any applicable exemptions or reductions contained in this By-Law:
- (a) In respect of an approval of a plan of subdivision pursuant to section 51 of the *Planning Act*, 1990 R.S.O. 1990, c.P.13, immediately upon entering into the subdivision agreement; and
  - (b) In respect of the granting of a consent pursuant to section 53 of the *Planning Act*, 1990 R.S.O. 1990, c.P.13, immediately upon entering into an agreement made as a condition of the granting of such consent;
- (4) Where the City and owner(s) of the land have entered into an agreement pursuant to section 27 of the Act in respect of the timing of the payment of a development charge or a portion thereof, the terms of such agreement shall prevail over the provisions of this By-Law, including subsections 3(2), 3(3) and 3(5) of this By-Law;

- (5) Notwithstanding subsections 3(2) and 3(3) of this By-Law and provided that the City and the owner(s) of the land have not entered into an agreement pursuant to subsection 3(4) of this By-Law, developments that are eligible pursuant to sections 26.1 or 26.2 of the Act shall have development charges calculated and payable in accordance with section 26.1 and/or 26.2 of the Act and interest thereon shall be calculated and payable in accordance with the City's policy, entitled "DC Interest Policy Under Sections 26.1 and 26.2 of the Development Charges Act, 1997", as amended from time to time;
- (6) If a use of any land, building or structure that constitutes development does not require the issuing of a building permit but requires one or more of the actions listed in subsection 2(5) inclusive, a development charge shall be payable and shall be calculated and collected on the earliest of any of the actions listed in subsection 2(5) required, or on a date set by agreement;
- (7) Nothing in this By-Law shall prevent Council from requiring, as a condition of any approval pursuant to the *Planning Act*, 1990 R.S.O. 1990, c.P.13, that the owner(s) of land install such local services as Council may require in accordance with the City's policy in respect of local services;

#### **Credits**

4.

- (1) Where the City permits the provision of services in lieu of the payment of all or any portion of a development charge, the City shall give a credit for an amount equal to the reasonable cost to the owner of providing the services, as determined by the City, provided such credit shall relate only to the portion of the development charge attributable to the services provided, unless otherwise agreed by the City;
- (2) The City may by agreement permit an owner to provide services additional to or of a greater size or capacity than is required, and the City may give a credit for an amount up to the reasonable cost to the owner of providing the services as determined by the City, provided that no such credit may be given for any part of the cost of work that relates to an increase in the level of service that exceeds the average level of service described in Paragraph 4 of Subsection 5(1) of the *Development Charges Act*, 1997;

#### **Annual Adjustment**

5.

- (1) The development charges established pursuant to Section 2 of this By-Law shall be adjusted annually, without amendment to this By-Law, as of the 1<sup>st</sup> day of July in each year, commencing on July 1, 2025, in accordance with the most recent change in the

## **GENERAL**

### **Term**

6.
  - (1) This By-Law shall come into force and effect on November 19, 2024;
  - (2) Nothing in this By-Law shall be construed so as to commit or require the City to authorize or proceed with any specific capital project at any specific time;

### **Transitional Provisions**

7.
  - (1) If before the coming into force of this By-Law an owner or previous owner has made a payment for services described in this By-Law, or provided services in lieu thereof, no payment as required under this By-Law and no credits or refunds shall apply;

### **Schedules**

8.
  - (1) Schedules A and B are attached hereto and form part of this By-Law;

### **Registration**

9.
  - (1) A certified copy of this By-Law may be registered in the By-Law register in the York Region Land Registry Office and/or against the title to any land to which this By-Law applies;

### **Severability**

10.
  - (1) In the event that any provision of this By-Law is found by a court or tribunal of competent jurisdiction to be invalid, such provision shall be deemed to be severed, and the remaining provisions of this By-Law shall remain in full force and effect;

### **Headings**

- 11.



- (1) The headings inserted in this By-Law are for convenience of reference only and shall not affect the interpretation of this By-Law;

**Short Title**

12.

- (1) This By-Law may be cited as the Area Specific Development Charges By-Law – Teston Road West Sanitary Improvements.

Enacted by City of Vaughan Council this 19<sup>th</sup> day of November, 2024.

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Hon. Steven Del Duca, Mayor

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Todd Coles, City Clerk

Authorized by Item No. X of Report No. XX  
of the Committee of the Whole  
Adopted by Vaughan City Council on November 19, 2024

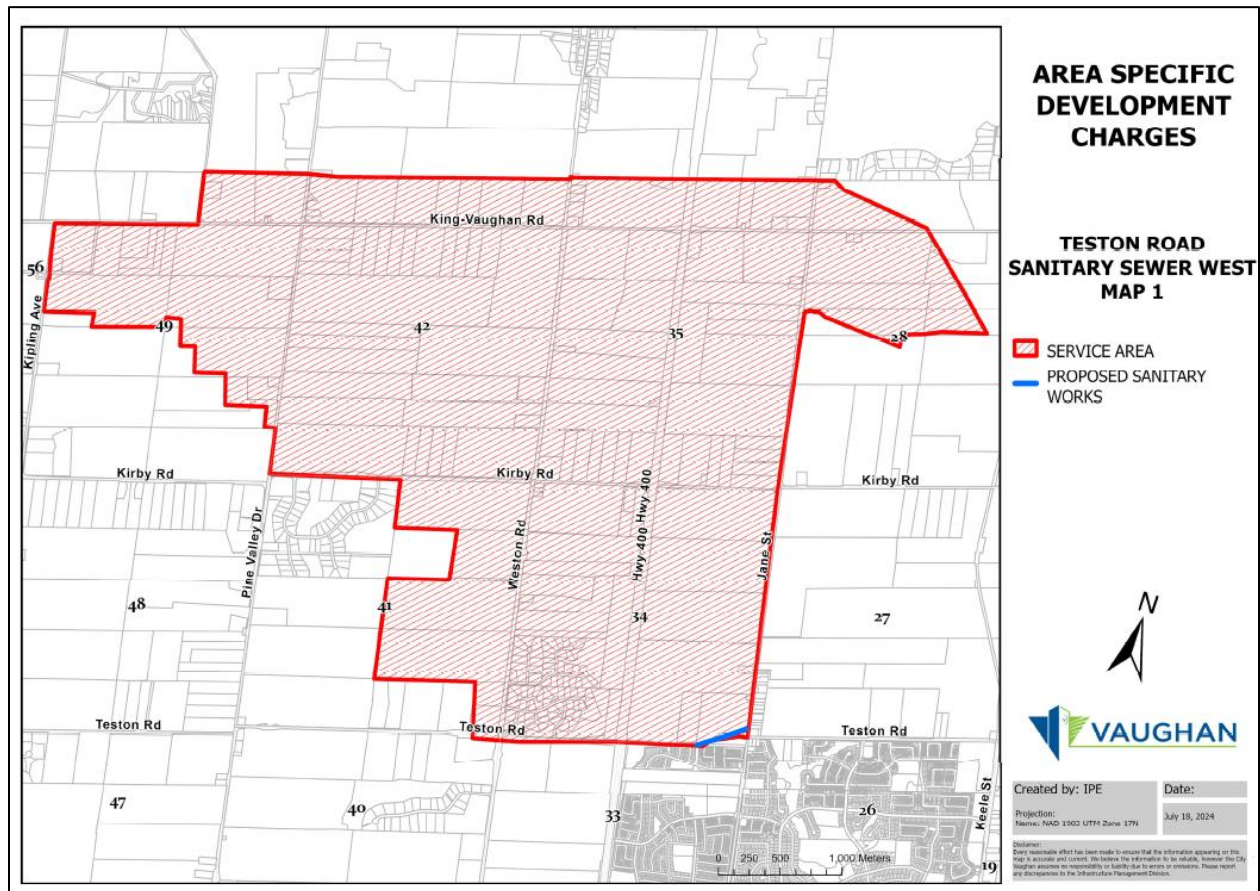
**Schedule A:**

**Area Specific Development Charge Calculation**

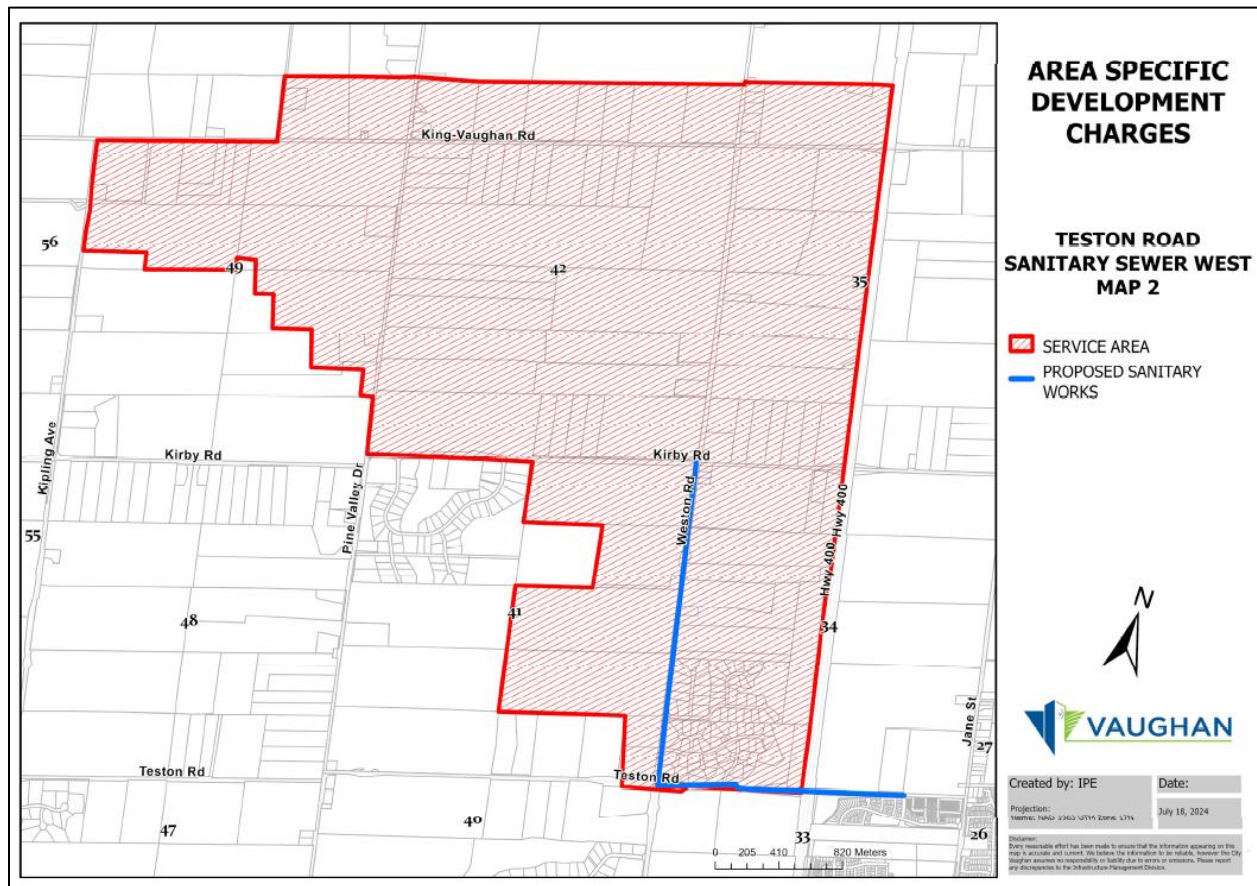
<b>Service</b>	<b>Net Capital Cost</b>	<b>Net Area (ha)</b>	<b>Rate Per Net Area (\$/ha)</b>
Teston Road West – Segment A – Map 1	\$4,363,580	1,164.03	\$3,749
Teston Road West – Segment B – Map 2	\$90,716,184	731.55	\$124,005
Teston Road West – Segment C – Map 3	\$7,973,003	274.14	\$29,084
Teston Road West – Segment D – Map 4	\$45,750,200	265.05	\$62,165

## **Schedule B:**

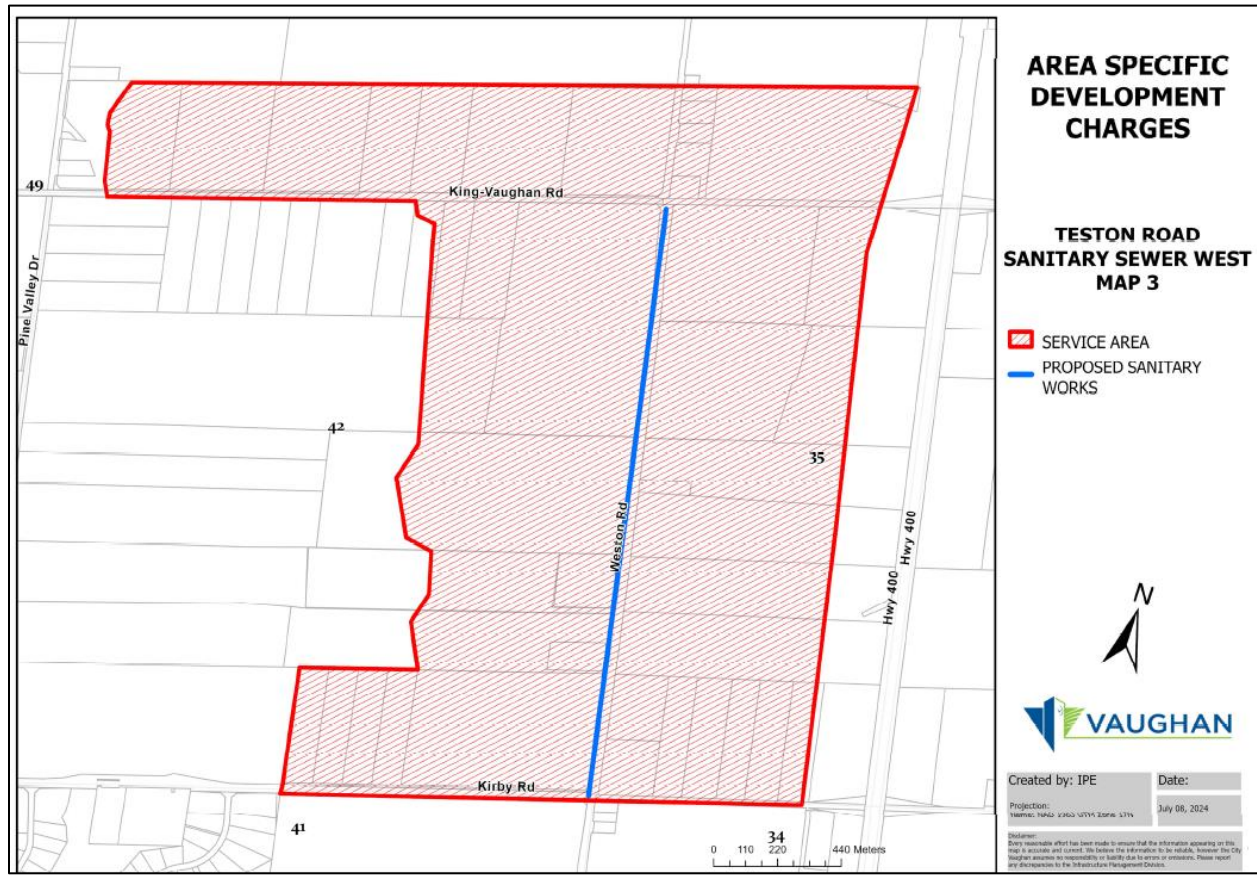
### **Map 1:**



**Map 2:**

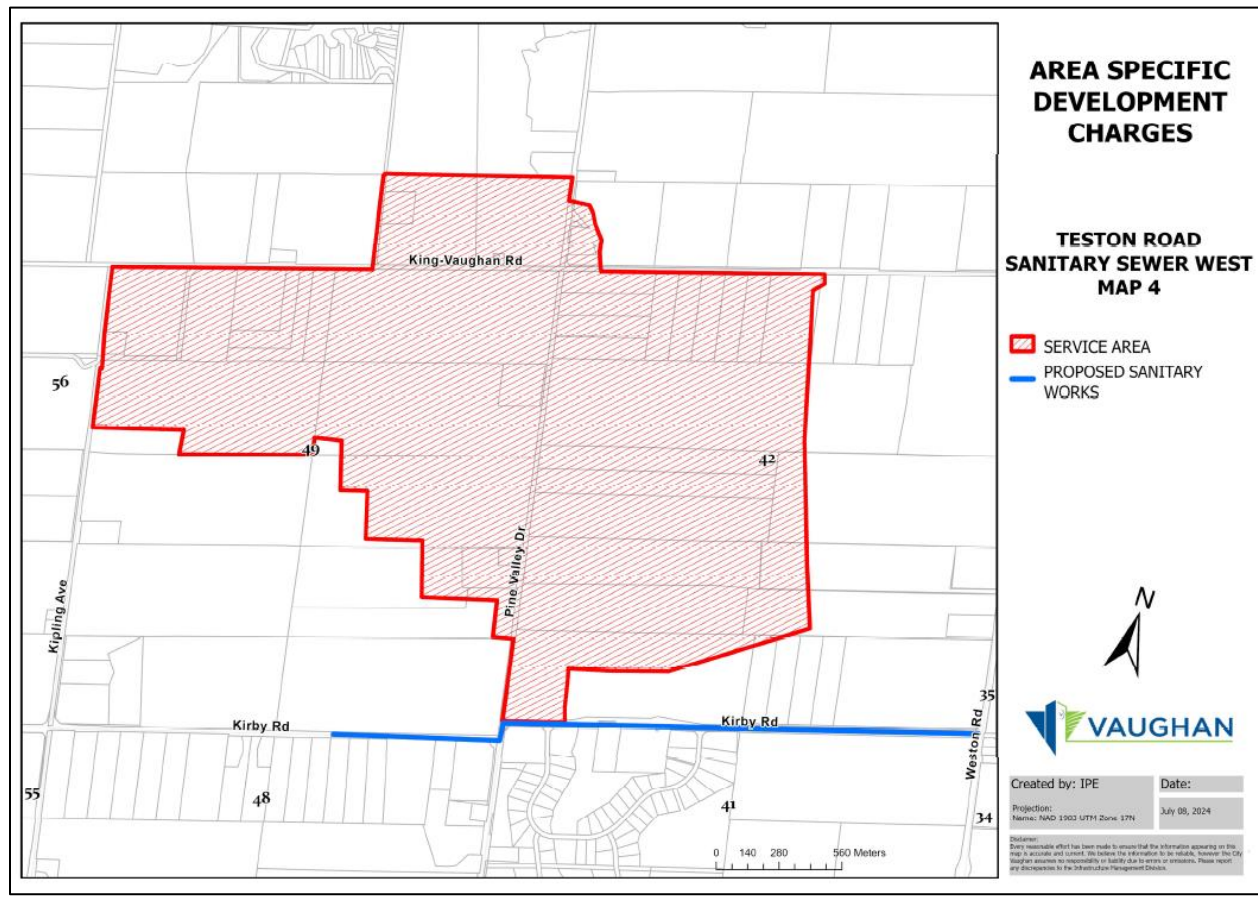


### MAP 3:





## MAP 4:



## Committee of the Whole (1) Report

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**DATE:** Tuesday, October 8, 2024

**WARD(S):** ALL

**TITLE:** CITY FRAMEWORK FOR MUNICIPALLY-SUPPORTED  
MINISTER'S ZONING ORDER (MZO) REQUESTS AND  
RESPONSE TO BILL 185

**FROM:**

Haiqing Xu, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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### **Purpose**

This report provides a summary of recent legislative changes with respect to Minister's Zoning Orders ('MZO's') modified through the enactment of the *Cutting Red Tape to Build More Homes Act, 2024* ('Bill 185') and release of a revised MZO framework by the Ministry of Municipal Affairs and Housing ('MMAH'). In response to these changes, this report also includes recommendations to establish a City process and guiding principles for the consideration of Municipally-Supported MZO requests.

### **Report Highlights**

- The enactment of Bill 185 introduced amendments to the *Planning Act* that rescinded the legislation that provided for the use of a Community Infrastructure and Housing Accelerator ('CIHA') tool.
- In April 2024, the MMAH released a MZO framework online for how MZO requests are reviewed and considered by the Minister of Municipal Affairs and Housing (the 'Minister').
- The MZO framework provides for two intake options, one of which requires support from a single-tier or lower-tier municipality which may take the form of a Council resolution or "a letter from a Mayor where the municipality has been designated with Strong Mayor Powers" (a 'Municipally-Supported Zoning Order').
- In order to consider Council Support of an MZO request to the MMAH, a process and fee establishing the City's requirements is recommended.
- To enable the processing of MZO requests, an amendment to the City's Fees and Charges By-law 224-2023 is required to recover the fees associated with the review and processing of MZO requests seeking support from the City.

### **Recommendations**

1. THAT Staff be directed to review development proposals for Municipally-Supported Zoning Order requests in accordance with the processes and guiding principles proposed in this report; and,
2. THAT Staff be directed to amend the City's in-effect Fees and Charges By-law 224-2023 to set the fees and charges required to recover the cost of reviewing and processing Municipally-Supported Zoning Order requests; effective as of June 4, 2024.

### **Background**

**Section 47 of the *Planning Act* gives the Minister the authority to issue an MZO that regulates the use of land in Ontario.**

It is at the discretion of the Minister to approve or refuse an MZO.

Between 2019 and 2023, seven (7) MZOs were issued in the City of Vaughan:

- Ontario Regulation (O. Reg.) 76/19 - Blocks 4, 5, 6 and 7 on Registered Plan 65M-3606
- O. Reg 173/20 (amended by O.Reg. 456/22) - 11110 Jane Street, 10520 Jane Street and 3180 Teston Road
- O.Reg. 445/20 - Part of Lots 2 and 3, Concession 8, described as Parts 15 and 16 on Reference Plan 65R-37505



- O.Reg. 643/20 - 2901 Rutherford Road
- O.Reg. 644/20 - Block 41
- O.Reg. 170/21 - 1950, 1970, 2160, 2180 and 220 Highway 7, and 137, 163 and 175 Bowes Street
- O.Reg. 156/22 - 11260 and 11424 Jane Street

The MZOs issued to date listed above involved collaboration between the applicant, City and MMAH, which were not subject to a formal process to guide the City's engagement in the development of MZOs.

**Between April 2022 and June 2024, the Province enacted several bills to address concerns regarding housing supply, one of which enabled the CIHA tool.**

#### Bill 109 – 2022

Bill 109, *More Homes for Everyone Act*, 2022, ('Bill 109') received Royal Assent on April 14, 2022, and was the Province's first major legislative response to the Housing Affordability Task Force Report aimed at addressing the housing supply crisis in Ontario. This included amendments to Section 34 of the *Planning Act* to add an additional type of Minister's Order: the CIHA. The CIHA tool enabled municipalities to submit requests to the MMAH for the issuance of a Minister's Order for a specific development plan. The CIHA was intended to support proposals that achieved certain City building objectives including the provision of housing as well as community infrastructure.

In response to Bill 109, staff brought forward a report – 'More Homes for Everyone Act, 2022 – Community Infrastructure and Housing Accelerator' on February 28, 2023, which was deferred to the Council Meeting of March 21, 2023, where it was received by Council.

#### Bill 185 - 2024

Bill 185 received Royal Assent on June 6, 2024, bringing into force changes to the *Planning Act*. Among these changes was the repeal of the CIHA tool.

#### **April 10, 2024: Provincial Zoning Order Framework**

In April 2024, the MMAH released a new framework to guide how requests for MZOs under Section 47 of the *Planning Act* are submitted and considered by the MMAH. The new framework consists of the following components: intake thresholds; submission expectations; and the process for ministry assessments and decision-making (including public consultation and indigenous community engagement). It is noted that under the *Planning Act*, MZOs do not have to be consistent with the Provincial Policy Statement, except in the Greenbelt Area.

**There are two intake thresholds an applicant can pursue, one of which is a Municipally-Supported Zoning Order Request.**

As noted on the Provincial website for MZO's, the Minister will consider requests for zoning orders that meet at least one of the following intake thresholds:

1. "requests that deliver on a provincial priority that is supported by a minister (for example, long-term care, hospitals, transit-oriented communities, educational facilities, housing priorities, economic development, manufacturing, etc.); or,
2. "requests that are supported by a single-tier or lower-tier municipality (for example, through a municipal council resolution or a letter from a mayor where the municipality has been designated with Strong Mayor Powers)."

Intake threshold #2 represents a Municipally-Supported Zoning Order request which provides a greater role for municipalities in the MZO process.

**The Minister is granted powers to make, by Order, requirements that a person requesting an MZO, enter into one or more agreements with a municipality on matters outlined in section 47 (4.4) of the *Planning Act*.**

Projects subject to MZO's must still address downstream approvals where applicable, unless the Minister within the MZO provides that Section 41 of the *Planning Act* (Site Plan Control) does not apply in respect of all, or specified part of the land described in the MZO. Examples of downstream approvals that may be required post-MZO issuance include, but are not limited to, plan of subdivision approvals, environmental approvals, and building permits.

**The MMAH has committed to providing public notice.**

All requests for zoning orders made to the MMAH will be posted to Ontario's Environmental Registry ('ERO') within 30-days unless otherwise determined. If a Zoning Order is issued, an Information Bulletin on the ERO website will be posted.

**Previous Reports/Authority**

- [Tuesday, April 12, 2022, Committee of the Whole \(2\) Report. "Bill 109, More Homes for Everyone Act, 2022". Item 18, Report No. 19.](#)
- [Tuesday, February 28, 2023, Committee of the Whole \(1\) Report. "More Homes for Everyone Act, 2022 – Community Infrastructure and Housing Accelerator". Item 1, Report No. 11.](#)

**Analysis and Options**

**A City-initiated process is recommended to outline how the City will review a Municipally-Supported Zoning Order request.**

To ensure the City is consistent in how requests are evaluated, the following key steps will guide Council and Staff in the review of Municipally-Supported Zoning Order requests:

1. Applicant requests a Pre-Application Consultation ('PAC'), including payment of PAC fees;
2. The proposal is submitted to the City in accordance with the Pre-Application Consultation policies of the Vaughan Official Plan ("VOP 2010") (policy 10.1.3), which will identify the requirements required to be fulfilled through a formal submission;
3. Development Application fees for a Municipally-Supported Zoning Order request will be applied and reflect the equivalent to the combined fees charged for the processing of a Major Official Plan Amendment and Zoning By-law Amendment.
4. The Municipally-Supported MZO request is required to be deemed "complete";
5. The proposal will be circulated to applicable internal departments and external agencies for review and comment;
6. Public Consultation in the form of a Public Meeting will be required, in a manner consistent with policy 10.1.4 of the VOP 2010 (for an Official Plan Amendment and/or Zoning By-law Amendment);
7. A Community Meeting, with the Applicant, Local and Regional Councillors, Community Representatives and/or Staff is always recommended before Council makes a decision; and
8. A staff (technical) report with a recommendation for the proposal will be prepared for Council's consideration.

**Applicants will need to justify in their submission to the City for a Municipally-Supported Zoning Order request why an MZO is being sought for the proposal.**

Applicants will be required to submit rationale to the City identifying why ministerial zoning relief is necessary for the proposal rather than following the City's planning process and seeking permissions through a traditional Official Plan and/or Zoning By-law Amendment Application.

**MZO requests submitted directly to MMAH may require a City response.** Zoning Order requests submitted directly to the MMAH (Intake Threshold #1) may require subsequent evidence of Council support as directed by the Minister. In this scenario, the MZO request will be processed in accordance with the key steps above. In an instance where MMAH requires the City to complete a technical review to inform MMAH's decision regarding the Zoning Order Request, the standard development application fees will apply.

**The City of Vaughan supports the development and creation of complete communities as directed by the in-effect Vaughan Official Plan.**

Complete communities reflect development patterns that achieve compact form, offer a range and mix of housing options, and provide equitable access to basic amenities for all ages and abilities. To assist in the review of Municipally-Supported Zoning Order requests the following guiding principles are intended to inform Council and Staff's assessment of a request for a Zoning Order. These guiding principles are complementary to the Province's MZO framework.

**Guiding Principle #1 - *Align with City of Vaughan Priorities and Policies***

There are seven (7) strategic priority areas identified in Vaughan's 2022-2026 Term of Council Service Excellence Strategic Plan. Three (3) strategic priorities are directly related to planning objectives and are relevant to the evaluation of municipal support for a Zoning Order request:

- **City Building**, "to build a world-class city based on good planning and urban design principles, which fosters community well-being";
- **Transportation and Mobility**, "to improve the reliability and safety of Vaughan's road network and infrastructure", and
- **Environmental Sustainability**, "to protect the environment and foster a sustainable future through our social and economic initiatives".

**Guiding Principle #2 - *Contributes to the Efficient Use of Land and Available Infrastructure***

Development that is aligned with the City's Urban Structure helps achieve efficient land use patterns which supports the implementation of several City-wide planning documents including VOP 2010, Transportation Master Plan and Urban Water Master Plan. Municipally-Supported Zoning Order requests should meet specific locational criteria and contribute to the City's overall intensification objectives. These areas include:

- Areas located within the Urban Boundary, as identified by the in-effect Vaughan Official Plan when the proposal is deemed complete;
- Areas located within a Strategic Growth Area or Intensification Corridor as identified in Schedule 1 - Urban Structure of VOP 2010 and supported by completed Secondary Plans;
- Areas where rapid transit service is in operation (e.g. TTC Subway, VIVA BRT); and
- Areas where municipal water/wastewater/stormwater servicing capacity and regional wastewater servicing allocation are available.

### **Guiding Principle #3 - *Support the Development of Complete Communities***

Development proposals that may be considered for a Municipally-Supported Zoning Order request should meet City-building objectives for the creation of complete communities. These proposals should include a significant contribution to one or more of the following:

- Priority Housing Types:
  - Purpose-built rental housing;
  - Affordable housing (including market and non-market sector, as defined in the in-effect Vaughan Official Plan);
  - Minimum number of family-sized units within a high-density residential development;
  - Senior's housing (e.g. Long-Term Care Facilities); and
  - Supportive housing for persons with disabilities.
- Non-Residential Uses including but not limited to retail, office and Employment-based uses such as manufacturing, warehousing, goods movement.
- Development that has regard for accessibility for persons with disabilities and universal design.
- Developments that incorporate sustainable development features at the Gold performance level as identified in the Council approved Sustainability Metrics Program.
- Development that demonstrates use of lower embodied carbon methods and materials relating to building construction enabled by section 97.1 of the *Municipal Act*, 2001 such as modular housing construction.
- Developments that provide contribution to or restoration of the City's Natural Heritage Network.
- Developments which contribute to sustainable transportation and mitigating congestion by providing zero net new parking spaces (i.e. no more parking than what already exists on-site).

The process and guiding principles outlined in this staff report sets the framework in which applicants can pursue municipal support for an MZO request to the MMAH. In addition to the above process and guiding principles, it is the City's expectation that an applicant obtain the necessary downstream approvals to implement the proposal, should an MZO be issued by the Minister. The City may not support MZO requests that seek an exemption from Provincial and local land use policies required for any applicable downstream approvals.

In accordance with MMAH's Zoning Order Framework, an applicant pursuing a Municipally-Supported Zoning Order is required to submit evidence of municipal support for the proposed project. Municipal Support is achieved via a Council decision as captured in the report extracts or by a letter from the Mayor where the municipality has been designated with Strong Mayor Powers, which is applicable to Vaughan. To maintain a transparent process, the consistent application of the process set out above and consideration of the guiding principles is recommended to support development proposals seeking to pursue a Municipally-Supported Zoning Order. Maintaining the City's land use planning framework ensures the development of complete communities in Vaughan.

### **Financial Impact**

It is not anticipated that the processing of MZO requests seeking the City's support will impact the budgets of affected City Departments. As part of the recommendations of this report, planning fees associated with the processing of MZO requests seeking the City's support will be recovered through amendments to the City's Fees and Charges By-law 224-2023.

Development Application fees for a Municipally-Supported Zoning Order request will be the equivalent to the combined fees charged for the processing of a Major Official Plan Amendment and Zoning By-law Amendment. This is consistent with the fee requirement implemented by the City for CIHA requests. The in-effect fees are \$47,050 for a Major Official Plan Amendment and \$10,658 plus a per unit and/or land area charge for a Zoning By-law Amendment. These amounts are subject to change with updates or amendments to the City's Fees and Charges By-law.

Applicants retain the option to submit a request for a MZO directly to the MMAH for consideration and the City will not recoup planning fees in these circumstances. Should the Minister subsequently require evidence of Council support or technical review, the Applicant will be required to pay the development application fee as outlined above prior to the City considering the MZO request.

### **Operational Impact**

MZO requests that seek the City's support will be circulated to internal City Departments for review and comment.

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

Proposals that are successful in obtaining an MZO may not be located where rapid transit service is in operation, or where municipal water/wastewater/stormwater servicing capacity and regional wastewater servicing allocation are available. It is the sole discretion of the MMAH to make a decision on MZO applications.

## **Conclusion**

The MZO framework released by the MMAH establishes two intake thresholds, one of which is a Municipally-Supported Zoning Order. The process and guiding principles presented in this report are intended to provide a clear set of requirements and expectations to Applicants for when the City will consider processing a request for a Municipally-Supported Zoning Order.

**For more information**, please contact Christine Lee, Senior Planner, Policy Planning and Special Programs. Ext. 3611 or Casandra Krysko, Senior Planner, Development Planning. Ext. 8003.

## **Attachments**

N/A

## **Prepared by**

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Nancy Tuckett, Director of Development Planning, ext. 8529.





## Committee of the Whole (1) Report

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**DATE:** Tuesday, October 08, 2024

**WARD(S):** ALL

**TITLE:** CITY-WIDE COMPREHENSIVE ZONING BY-LAW 001-2021 –  
GENERAL AND SITE-SPECIFIC AMENDMENTS, ZONING BY-  
LAW AMENDMENT FILE Z.24.018: THE CORPORATION OF  
THE CITY OF VAUGHAN

**FROM:**

Haiqing Xu, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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**Purpose**

To seek Council approval of amendments to Comprehensive Zoning By-law 001-2021 (“CZBL”) as identified in Attachment 2 (site-specific amendments) and Attachment 3 (general amendments).

**Report Highlights**

- The CZBL was enacted by Council on October 21, 2021.
- Since the enactment of the CZBL, staff have identified errors and clarifications in the CZBL that are recommended for correction and amendment, as shown in Attachments 2 and 3.
- Reports detailing further recommended amendments to the CZBL will be brought forward on a regular basis to reflect approvals respecting zoning by-law amendment applications in process and to correct errors that may be identified in the future.

**Recommendations**

1. THAT Zoning By-law Amendment File Z.24.018 (THE CORPORATION OF THE CITY OF VAUGHAN) BE APPROVED, to make site-specific and general amendments to Comprehensive Zoning By-law 001-2021 in the manner set out in Attachments 2 and 3 to this report;

2. THAT Council authorize the Deputy City Manager, Planning and Growth Management to make any stylistic and technical changes to the amendments set out in Attachments 2 and 3, as may be required, before introducing the necessary by-law(s) for enactment; and
3. THAT all necessary by-law(s) be enacted.

## **Background**

Location: *City-wide and for the specific sites identified in Attachment 2.*

***On October 20, 2021, Council adopted the CZBL. The Ontario Land Tribunal (“OLT”) ordered the CZBL into force by its order on December 28, 2022, and as corrected on March 28, 2023, with exceptions.***

The CZBL affects all properties within the City of Vaughan, with the exception of lands in the vicinity of Yonge Street and Steeles Avenue West, as shown on Attachment 1. The CZBL replaces Zoning By-law 1-88, with the exception of matters of transition pursuant to section 1.6 of the CZBL and the Yonge-Steeles Corridor Secondary Plan area.

The CZBL has been appealed to the OLT by a number of appellants. The OLT issued an Order on December 28, 2022, which was subsequently corrected on March 28, 2023, bringing into effect sections of the CZBL that have not been appealed.

***On May 17, 2022, Council approved site-specific and general amendments to correct errors in the CZBL.***

Since that time, staff have identified additional errors in the CZBL that are recommended for correction and have identified other provisions that require clarification. This report identifies further recommended amendments to correct: (1) site-specific amendments as shown on Attachment 2; and (2) general amendments as shown on Attachment 3.

Reports detailing further recommended site-specific and general amendments to the CZBL will be brought forward to correct errors that may be identified in the future, as required.

***Public Notice was provided in accordance with the Planning Act and Council’s Notification Protocol.***

- *Date of Notice: August 16, 2024*
- *Date of Courtesy Public Meeting Notice to CZBL Appellants: September 4, 2024*
- *Date of Public Meeting: September 10, 2024, ratified by Council on September 24, 2024*
- *Date of Committee of the Whole Non-Statutory Courtesy Notice sent to CZBL Appellants and others requesting to be notified: September 25, 2024*

**Public Comments were received.**

The following is a summary of the comments provided and received to date:

**11151 Highway 50**

- 11151 Highway 50 was identified by staff as being erroneously rezoned from the A Agricultural Zone under Zoning By-law 1-88 to the GC General Commercial Zone in the CZBL, which is contrary to the existing Agricultural designation that applies to the lands under the Vaughan Official Plan 2010. The agent representing the owners of 11151 Highway 50 submitted two communications on September 10, 2024 which requested the City not to proceed with making a technical amendment for the lands, but instead address the matter through Official Plan Amendment File OP.23.005 and Zoning By-law Amendment File Z.23.008 submitted for Block 4 of the lands and future Official Plan Amendment and Zoning By-law Amendment applications for Blocks 1-3 of the lands. Additionally, the owner of Block 4 made an oral deputation at the September 10, 2024, Public Meeting requesting the City not proceed with the amendment.

On September 24, 2024, Council resolved to receive the public meeting report and defer the amendment for 11151 Highway 50 to a later date. As such, the proposed amendment relating to 11151 Highway 50 has been removed from the site-specific amendments identified in Attachment 2 to this report.

**Previous Reports/Authority**

[Extract from Council Meeting Minutes of October 20, 2021 \(Item 9, Report No. 46 of the Committee of the Whole\)](#)

[Extract from Council Meeting Minutes of March 22, 2022 \(Item 1, Report No. 14 of the Committee of the Whole\)](#)

[Extract from Council Meeting Minutes of May 17, 2022 \(Item 14, Report No. 24 of the Committee of the Whole\)](#)

[The following link is to the September 10, 2024, Committee of the Whole \(Public Meeting\) \(Item 3, Report No. 28\) File Z.24.018](#)

**Analysis and Options**

***Site-specific amendments to the CZBL are proposed, as shown on Attachment 2.***

The site-specific amendments to the CZBL identified in Attachment 2 are intended to address site-specific zoning exceptions that were not carried forward into the CZBL from Zoning By-law 1-88 or were carried forward but omissions occurred in the CZBL version of the site-specific exceptions. The proposed site-specific amendments are intended to ensure that current and future owners and tenants of the lands are not

adversely impacted by legal non-conforming status or site-specific discrepancies between Zoning By-law 1-88 and the CZBL.

***A site-specific amendment is proposed to the CZBL in Attachment 2 to extend the temporary personal service use (hair salon) for 8750 Jane Street (unit 14) for a further period of three (3) years.***

On May 17, 2022, Council enacted By-law 095-2022 to permit the temporary use of personal service (hair salon) in unit 14 of the existing building at 8750 Jane Street for a period of three (3) years. The intent was that the personal service use (hair salon) would eventually be permitted as of right through the new Vaughan Official Plan, and subsequent update to the CZBL, after completion of the Official Plan Review (“OPR”) process. However, given that the OPR process is ongoing, an extension to the temporary use permission for a personal service use (hair salon) in unit 14 is proposed for a further period of three (3) years.

Pursuant to subsection 39(3) of the *Planning Act*, Council may, by by-law, grant further periods of not more than three (3) years each during which a temporary use is authorized.

***General amendments to the CZBL are proposed, as shown on Attachment 3.***

The general amendments to the CZBL identified in Attachment 3 are proposed to provide clarity with respect to various maps and text provisions relating to permitted uses, definitions, lot and building requirements, notes, tables, and special provisions.

***A general amendment is proposed to the CZBL in Attachment 3 to implement additional residential unit permissions to conform with amendments to the Planning Act implemented through Bill 23 - the More Homes Built Faster Act, 2022 (“Bill 23”).***

As amended by Bill 23, subsections 16(3) and 35.1(1) of the *Planning Act* restrict official plans and zoning by-laws from containing policies and provisions that prohibit the use of up to three (3) residential units as follows:

- two (2) residential units in a detached house, semi-detached house or rowhouse (townhouse), if all buildings and structures ancillary to the detached house, semi-detached house or rowhouse (townhouse) cumulatively contain no more than one (1) residential unit;
- three (3) residential units in a detached house, semi-detached house or rowhouse (townhouse), if no building or structure ancillary to the detached house, semi-detached house or rowhouse (townhouse) contains any residential units; or

- one (1) residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse (townhouse), if the detached house, semi-detached house or rowhouse (townhouse) contains no more than two (2) residential units and no other building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units.

Additionally, subsections 16(3.1) and (3.2) and 35.1(1.1) and (1.2) of the *Planning Act* restrict official plans and zoning by-laws from containing policies and provisions of the following:

- requiring more than one (1) parking space to be provided in connection with a residential unit noted above other than the primary residential unit; and
- regulating the minimum floor area of a residential unit noted above.

Pursuant to subsections 16(3.3) and 35.1(1.3) of the *Planning Act*, a policy or provision that contravenes these restrictions is of no effect.

As such, an amendment to the CZBL is proposed to remove provisions which conflict with the *Planning Act* and to implement development standards that would facilitate up to three (3) residential units in zones that permit single detached, semi-detached or rowhouses (townhouses). Under subsection 34(19.1) of the *Planning Act*, there is no appeal in respect of a by-law that is passed to permit the use of up to three (3) residential units as described above.

***The amendments to the CZBL identified in Attachments 2 and 3 are consistent with the 2020 Provincial Policy Statement and the pending 2024 Provincial Planning Statement and conform to the Growth Plan for the Greater Golden Horseshoe, 2019, as amended, York Region Official Plan, 2022 and Vaughan Official Plan, 2010.***

#### Provincial Planning Statement, 2024 (“PPS 2024”)

The PPS 2024 is a policy statement issued pursuant to section 3 of the *Planning Act* and comes into effect on October 20, 2024. All decisions made on or after October 20, 2024 in respect of the exercise of any authority that affects a planning matter shall be consistent with this policy statement.

At the time of drafting this report, transition provisions to facilitate the introduction of the new PPS 2024 were being considered by the Ministry of Municipal Affairs and Housing, and not yet available. This report therefore includes discussion of, *inter alia*, the Provincial Policy Statement 2020, the Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and the new PPS 2024.

The PPS 2024 provides direction on matters of Provincial interest related to land use planning and development province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

Section 6.1.6 of the PPS 2024 requires planning authorities to keep zoning by-laws up-to-date with their Official Plan and the PPS by establishing permitted uses, minimum densities, heights and other development standards to accommodate growth and Development. The proposed amendments are intended to bring certain provisions and site-specific exceptions of the CZBL into conformity with VOP 2010 and Bill 23 and to establish or clarify permitted uses and other development standards. The proposed amendments are consistent with the pending PPS 2024.

#### Provincial Policy Statement, 2020 (“PPS 2020”)

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the PPS 2020. The PPS 2020 provides policy direction on matters of provincial interest related to land use planning and development. Key policy objectives include: building strong, healthy communities; the wise use and management of resources; and protecting public health and safety. The PPS 2020 recognizes that local context and character is important. The proposed amendments are consistent with the PPS 2020.

#### A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (“Growth Plan”)

The Growth Plan is intended to guide decisions on a wide range of issues, including economic development, land-use planning, urban form, and housing. The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe, including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. Council's planning decisions, including zoning by-laws, are required by the *Planning Act* to conform, or not conflict with, the Growth Plan.

Section 5.1 of the Growth Plan identifies a municipal zoning by-law as an appropriate regulatory tool to implement the policies of the Growth Plan. The proposed site-specific and general amendments are wide-ranging, as identified in Attachments 2 and 3 to this report. The proposed amendments conform to the Growth Plan.

#### York Region Official Plan 2022 (“YROP 2022”)

York Region Council adopted the YROP 2022 in June 2022. YROP 2022 was approved, as modified, by the Minister of Municipal Affairs and Housing in November 2022, bringing it into full force and effect. Bill 150, *Planning Statute Law Amendment Act, 2023* and Bill 162, *Get It Done Act, 2024* later rescinded some of those modifications.

On June 6, 2024, Bill 185, *Cutting Red Tape to Build More Homes Act, 2024* (“Bill 185”) received Royal Assent which includes amendments to the *Planning Act*. In accordance with the amendments to the *Planning Act* implemented through Bill 185, York region became a Region without planning responsibilities effective July 1, 2024.

Pursuant to subsection 70.13(2) of the *Planning Act*, YROP 2022 is deemed to constitute an official plan of the City in respect of any area in the City to which it applies and will remain in effect until the City revokes or amends it.

YROP 2022 guides economic, environmental and community building decisions across York Region. YROP 2022 also encourages pedestrian scaled safety, comfort and mobility, the enrichment of the existing area with attractive buildings, landscaping and public streetscapes. Policy 7.3.1 of YROP 2022 requires municipalities to adopt municipal zoning by-laws that conform to YROP 2022 in a timely manner. The proposed amendments conform to YROP 2022.

#### Vaughan Official Plan 2010 ("VOP 2010")

VOP 2010 establishes the planning framework for development throughout the City to the year 2031 and fulfills the City's obligations to conform to Provincial policies and meet regionally imposed targets for residential and employment growth. VOP 2010 served as the primary source of policy direction for the CZBL. The proposed amendments conform to VOP 2010.

#### **Financial Impact**

There are no requirements for new funding associated with this report.

#### **Operational Impact**

The amendments proposed in Attachments 2 and 3 have been reviewed in collaboration with the Building Standards and Legal Services Departments for technical accuracy.

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

There are no broader regional impacts or considerations associated with this report.

#### **Conclusion**

The proposed amendments to the CZBL identified in Attachments 2 and 3 are intended to correct errors identified in the CZBL and to provide clarification in respect of certain provisions.

**For more information**, please contact Chris Cosentino, Senior Planner, Development Planning Department, ext. 8215.

#### **Attachments**

1. Lands Subject to Zoning By-law 001-2021.
2. Site-specific Amendments Proposed to By-law 001-2021.
3. General Amendments Proposed to By-law 001-2021.

#### **Prepared by**

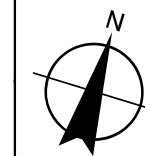
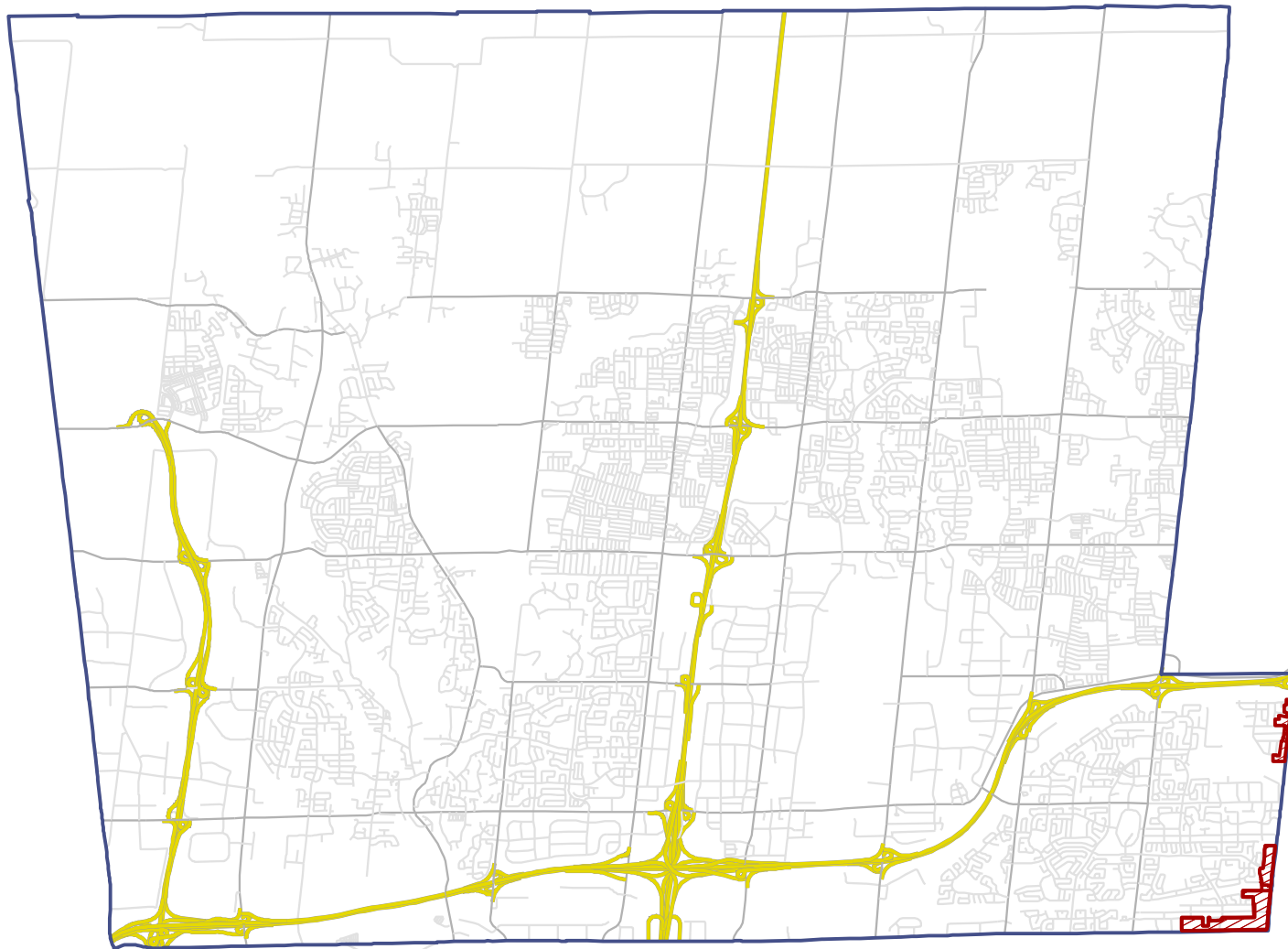
Chris Cosentino, Senior Planner, ext. 8215.



Mark Antoine, Senior Manager of Development Planning, ext. 8212.

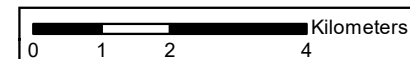
Nancy Tuckett, Director of Development Planning, ext. 8529.







-  Lands Subject to Zoning By-law 1-88
-  Lands Subject to Zoning By-law 001-2021



## Lands Subject to Zoning By-law 001-2021



## Attachment

FILE:  
Z.24.018

DATE:  
October 8, 2024

1



## ATTACHMENT 2

### Site-specific Amendments Proposed to Comprehensive Zoning By-law 001-2021 (“CZBL”)

Property/ Address	File Number	Committee/ Council Date	Objective of Amendment	Proposed Amendment
7117 Bathurst Street	N/A	N/A	To correct the inadvertent removal of Clinic as a permitted use in site-specific exception 14.572 of the CZBL, which was permitted as a Business and Professional Office under Zoning By-law 1-88 but is now defined separately as a Clinic in the CZBL.	To add a Clinic as a permitted use to site-specific exception 14.572 of the CZBL.
156 Chrislea Road	Z.19.012	March 11, 2020 Council	To correct the site-specific development standards and mapping of the CZBL to accurately reflect the zoning applicable to the lands pursuant to Zoning By-law 1-88 site-specific approvals granted under By-law 088-2021.	To amend site-specific exception 14.628 of the CZBL to include the Zoning By-law 1-88 site-specific approvals granted under By-law 088-2021.
7681 Highway 27	N/A	N/A	To correct the inadvertent removal of Clinic as a permitted use in site-specific exception 14.1047 of the CZBL, which was permitted as a Business and Professional Office under Zoning By-law 1-88 but is now defined separately as a Clinic in the CZBL.	To add a Clinic as a permitted use to site-specific exception 14.1047 of the CZBL for Buildings A, B and C on the lands.

8298, 8310, 8320 Highway 27	Z.19.026	March 22, 2022 Council	To correct the site-specific development standards and mapping of the CZBL to accurately reflect the zoning applicable to the lands pursuant to Zoning By-law 1-88 site-specific approvals granted under By-law 060-2022.	To rezone the lands from A Agricultural Zone to SC Service Commercial Zone subject to a new site-specific exception in accordance with Zoning By-law 1-88 site-specific approvals granted under By-law 060-2022.
10951 Highway 50	Z.00.064, Z.14.012	August 25, 2003 Council	To correct the site-specific development standards and mapping of the CZBL to accurately reflect the zoning applicable to the lands pursuant to Zoning By-law 1-88 site-specific approvals granted under By-law 265-2002.	To rezone the lands from A Agricultural Zone to GC General Commercial Zone subject to a new site-specific exception in accordance with Zoning By-law 1-88 site-specific approvals granted under By-law 265-2002.
11065 and 11133 Highway 50, 11050 Cold Creek Road, Lot 28, Concession 11	N/A	N/A	To correct the inadvertent rezoning of the lands in the CZBL to GC General Commercial Zone which is contrary to Vaughan Official Plan, 2010 ("VOP 2010").	To rezone the lands from GC General Commercial Zone to A – Agricultural Zone to conform with VOP 2010.
2851 Highway 7	Z.19.024		To correct site-specific provisions in the CZBL for minimum landscape strip width and minimum setbacks from site-specific amendment 9(1505) in Zoning By-law 1-88 and correct zone boundaries shown in Schedule 'A' for the lands.	To amend site-specific exception 14.1123 of the CZBL to include the minimum requirement of a 3.2 m landscape strip abutting the east lot line, correct reference to minimum setbacks where the building height exceeds 10.2 m to 9.0 m and 8.5 m, and to amend Schedule 'A' of the CZBL to reflect the correct

				zone boundaries as shown in Figure E-1636 in exception 14.1123.
2871, 2899, 2907 Highway 7	Z.21.010	June 28, 2022 Council	To correct the site-specific development standards and mapping of the CZBL to accurately reflect the zoning applicable to the lands pursuant to Zoning By-law 1-88 site-specific approvals granted under By-laws 157-2022, 018-2023 and 099-2023.	To amend site-specific exception 14.1124 of the CZBL to include the Zoning By-law 1-88 site-specific approvals granted under By-laws 157-2022, 018-2023 and 099-2023.
6640 Highway 7	Z.21.037	June 28, 2022 Council	To correct the site-specific development standards and mapping of the CZBL to accurately reflect the zoning applicable to the lands pursuant to Zoning By-law 1-88 site-specific approvals granted under By-law 137-2022.	To amend site-specific exception 14.1021 of the CZBL to include the Zoning By-law 1-88 site-specific approvals granted under By-law 137-2022.
7899 Huntington Road	N/A	N/A	To correct the inadvertent rezoning of the lands in the CZBL to EM1 Prestige Employment Zone which is contrary to VOP 2010.	To rezone the lands from EM1 Prestige Employment Zone to EM2 General Employment Zone to conform with VOP 2010.
161 Innovation Drive	N/A	N/A	To correct the inadvertent rezoning of the lands in the CZBL to SC Service Commercial Zone which is contrary to VOP 2010.	To rezone the lands from SC Service Commercial Zone to EM2 General Employment Zone to conform with VOP 2010.
7034 & 7040 Islington Avenue	Z.21.024	October 17, 2023 Council	To correct the site-specific development standards and mapping of the CZBL to accurately reflect the zoning	To rezone the lands from A Agricultural Zone and EM1 Prestige Employment Zone to RM3 Multiple Unit Residential

			applicable to the lands pursuant to Zoning By-law 1-88 site-specific approvals granted under By-law 215-2023.	Zone and OS1 Public Open Space Zone (or other similar zone as appropriate) subject to a new site-specific exception in accordance with Zoning By-law 1-88 site-specific approvals granted under By-law 215-2023.
7082 Islington Avenue	Z.19.035, 19T- 17V006, DA.18.015 DA.20.007 & Z.22.016	February 17, 2021 Council	To correct the site-specific development standards and mapping of the CZBL to accurately reflect the zoning applicable to the lands pursuant to Zoning By-law 1-88 site-specific approvals granted under By-law 096-2021.	To amend site-specific exception 14.959 of the CZBL to rezone a portion of the lands from RT1(H) Townhouse Residential Zone to OS2 Private Open Space Zone and carry over revised site-specific exceptions in accordance with Zoning By-law 1-88 site-specific approvals granted under approved By-law 096-2021.
8750 Jane Street	Z.21.052	May 17, 2022 Council	To permit the temporary use of a personal service shop in unit 14 which was previously permitted under the C7 Service Commercial Zone in Zoning By-law 1-88 and afford time for the City's next Official Plan Review to be completed which is anticipated to permit the use as of right	To extend the duration of the existing temporary use permissions established in Zoning By-law 1-88 under By-law 095-2022 to permit the temporary use of Personal Service (hair salon) in Unit 14 for an additional 3 years.
9505 Keele Street	N/A	N/A	To carry forward the permitted use of a take-out restaurant from site-specific amendment 9(810) in Zoning By-law 1-88 which was inadvertently removed from site-	Add take-out restaurant as a permitted use in exception 14.506 of the CZBL.

			specific exception 14.506 in the CZBL.	
9675, 9687, 9697 Keele Street	Z.20.025	May 2, 2023 Committee of the Whole	To correct the site-specific development standards and mapping of the CZBL to accurately reflect the zoning applicable to the lands pursuant to Zoning By-law 1-88 site-specific approvals granted under By-law 105-2023.	To amend site-specific exception 14.404 of the CZBL to include the Zoning By-law 1-88 site-specific approvals granted under By-law 105-2023.
7938 Kipling Avenue	Z.19.005, A001/22	December 17, 2019 Council	To correct the site-specific development standards and mapping of the CZBL to accurately reflect the zoning applicable to the lands pursuant to Zoning By-law 1-88 site-specific approvals granted under By-law 105-2023 and Minor Variance Application A001/22.	To amend site-specific exception 14.722 of the CZBL to include the Zoning By-law 1-88 site-specific approvals granted under By-law 122-2020 and Minor Variance Application A001/22.
2057 Major Mackenzie Drive West	Z.16.006, DA.19.070	October 24, 2019 LPAT (OLT) Order Case No. PL170305	To correct the site-specific development standards and mapping of the CZBL to accurately reflect the zoning applicable to the lands pursuant to Zoning By-law 1-88 site-specific approvals granted under By-law 193-2022.	To rezone the lands from A Agricultural Zone to RM2 Multiple Unit Residential Zone (or other similar zone(s) as appropriate) and OS1 Public Open Space Zone in accordance with the Zoning By-law 1-88 site-specific approvals granted under By-law 193-2022.
46 Uplands Avenue	N/A	N/A	To correct reference to incorrect zone categories within site-specific exception 14.496 of the CZBL.	Change reference to "GR Zone" which does not exist under the CZBL to OS2 Private Open Space Zone.

236 Wallace Street	N/A	September 18, 2020 OLT Order Case No. PL111184	To correct the inadvertent rezoning of the lands in the CZBL to EP Environmental Protection Zone which is contrary to VOP 2010 and the related OLT Decision.	To rezone the lands from EP Environmental Protection Zone to R3 Residential Zone to conform with VOP 2010.
7600 Weston Road	N/A	N/A	To recognize the gross floor area ("GFA") of the existing Shopping Centre located on the lands which exceeds the permitted 10,000 m <sup>2</sup> under the GMU General Mixed-Use Zone.	To add to site-specific exception 14.443 of the CZBL permission for a Shopping Centre to have a maximum GFA of 10,419 m <sup>2</sup> which was previously permitted in Zoning By-law 1-88.
7777 Weston Road	N/A	N/A	To correct the inadvertent inclusion of a Restaurant as a prohibited use in site-specific exception 14.124 of the CZBL where a Restaurant was previously permitted under site-specific exception 9(246) in Zoning By-law 1-88.	To delete reference to "Restaurant" under section 14.124.1.3.c of site-specific exception 14.124 of the CZBL, thereby permitting a Restaurant use on the lands.
7979 Weston Road	Z.21.030	February 15, 2022 Council	<p>To correct the site-specific development standards and mapping of the CZBL to accurately reflect the zoning applicable to the lands pursuant to Zoning By-law 1-88 site-specific approvals granted under By-law 045-2022.</p> <p>Additionally, the permitted uses of a Supermarket and Service or Repair Shop were inadvertently not carried forward into the CZBL</p>	To amend site-specific exception 14.604 of the CZBL to include the Zoning By-law 1-88 site-specific approvals granted under By-law 045-2022 and to restore Supermarket and Service or Repair Shop as permitted uses.



			for the lands from site-specific exception 9(222) in Zoning By-law 1-88.	
14.205	N/A	N/A	To delete site-specific exception 14.205 in the CZBL which was erroneously applied in Zoning By-law 1-88 and carried forward into the CZBL.	To delete site-specific exception 14.205 from the CZBL and amend Schedule A to remove all references to it.
14.272 - Part Lots 28 & 29, Concession 1)	N/A	N/A	To carry forward into the CZBL the provisions of Schedule T-12 of site-specific exception 9(471) in Zoning By-law 1-88.	To amend site-specific exception 14.272 of the CZBL to include the lot and building provisions of Schedule T-12 of site-specific exception 9(471) in Zoning By-law 1-88.
14.676	N/A	N/A	To correct the inadvertent removal of RV2 Zone and RV4 Zone categories from site-specific exception 14.676 of the CZBL.	Add reference to RV2 Zone to Section 14.676.1.1 and reference to RV4 Zone to Section 14.676.1.2 of site-specific exception 14.676 in the CZBL.
14.891	N/A	N/A	To correct references to the RD3 Zone category instead of the R3 Zone category and the inadvertent removal of front yard and rear yard requirements for certain lots.	To amend site-specific exception 14.891 to change reference to RD3 Zone to R3 Zone, consistent with Figure E-1377 in exception 14.891, and to carry over the minimum required rear yard setback of 6.8 m for Lot 44 and the minimum required front yard setback of 5.8 m for lots in the R4 Zone on Streets "A" and "D".

14.1118	N/A	N/A	To clarify the permitted uses on lands subject to site-specific exception 14.1118 that are zoned with a Holding Symbol “(H)”.	To permit uses within an existing building that were permitted by the corresponding zone under Zoning By-law 1-88, notwithstanding the Holding Symbol “(H)”.
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### ATTACHMENT 3

#### General Amendments Proposed to Comprehensive Zoning By-law 001-2021 ("CZBL")

By-law 001-2021 Section	Item	Description of Issue/Concern	Proposed Amendments
4.1.1.4 5.21.1 5.21.3 5.21.8 5.21.10.c	Accessory Structures and Secondary Suites	<p>Remove provisions that contravene subsection 35(1) of the <i>Planning Act</i> restricting zoning by-laws from containing policies and provisions that prohibit the use of up to three (3) residential units.</p> <p>The current provisions:</p> <ul style="list-style-type: none"> <li>- restrict the use of accessory buildings and structures for human habitation and for gain and profit;</li> <li>- allow a maximum of one secondary suite per lot;</li> <li>- apply a minimum parking rate for both the principal dwelling and a secondary suite;</li> <li>- require a minimum gross floor area of 35 m<sup>2</sup> for a secondary suite; and</li> <li>- require a secondary suite entrance to not be located closer to the front lot line than the main entrance of a dwelling unit on the abutting lot.</li> </ul> <p>-</p>	<p>Delete Subsections 4.1.1.4, 5.21.1, 5.21.3, 5.21.8 and 5.21.10.c in their entirety and add the additional residential unit permissions and minimum parking requirements from Bill 23 to Section 5.21 of the CZBL.</p>

4.19.1 Table 7-4 Table 7-5	Soft Landscaping Requirements	<p>The provided list of residential zones where soft landscaping requirements apply is missing certain additional residential zone categories.</p> <p>The landscaping requirements in Tables 7-4 and 7-5 contradict subsection 4.19.1.2.</p>	Amend subsection 4.19.1.1 to include all residential zones other than the RM zones and delete the landscaping requirements from Tables 7-4 and 7-5.
4.21.2 4.21.5	Swimming Pools	<p>Subsection 4.21.5 states that an outdoor swimming pool shall not be located closer to the exterior side lot line than the dwelling. For pie-shaped lots, it is unclear which part of the dwelling is used to determine the correct exterior side yard setback to a swimming pool.</p> <p>Subsection 4.21.2 also specifies that an outdoor swimming pool shall only be permitted in the rear yard of a lot, which prohibits the location of a swimming pool in portions of the lot that are technically the rear of the dwelling but not in the 'defined' rear yard of the lot (i.e between dwelling jut-outs).</p>	Delete subsection 4.21.5 and amend subsection 4.21.2 to clarify that an outdoor swimming pool shall not be permitted within any minimum required front or exterior side yard of a lot.

4.3.3.1.b 4.3.3.1.c	Outdoor Amenity Area Requirements	The total minimum required outdoor amenity area for an apartment dwelling is only 55.0 m <sup>2</sup> located at grade, and the current provision in subsection 4.3.3.1.c only allows for a maximum of 20% of the required minimum outdoor amenity area to be located on a rooftop or terrace. The provision allows for a maximum of 11 m <sup>2</sup> of outdoor amenity area to be allocated on a rooftop or terrace, whereas there should be no restriction.	Delete Subsection 4.3.3.1.c.
4.3.3.1.a	Outdoor Amenity Area Requirements	Subsection 4.3.3.1.a requires a minimum outdoor amenity area of 50% of the total required amenity area calculated under subsection 4.3.2 for a block townhouse dwelling or multiple-unit townhouse dwelling, however an apartment dwelling is excluded from this requirement and should be added.	Add apartment dwelling, apartment dwelling units and podium townhouse dwelling units to subsection 4.3.3.1.a.
4.3.2.2	Minimum Required Amenity Area	The current provision requires only 10.0 m <sup>2</sup> total of amenity area for the first eight (8) dwelling units, where it should be 10.0 m <sup>2</sup> <i>per dwelling unit</i> for the first eight dwelling units.	Amend subsection 4.3.2.2 to add “per dwelling unit” for the first eight dwelling units.
6.3.1	Parking Space Dimensions	There are no minimum size requirements in the by-law for a private garage.	Add a provision in Part 6 for a minimum interior private garage dimension of 3.0 m x 6.0 m.

6.4.1.4	General Provisions for Barrier-free Parking Spaces Requirements	The by-law provision suggests that barrier-free parking spaces are not required for residential uses (including multi-family residential buildings, towers, etc.) and it should be required.	Amend Subsection 6.4.1.4 of the CZBL to clarify that barrier-free parking spaces are required for residential uses such as Apartment Dwelling, Live-work Dwelling or Multiple Unit Townhouse Dwelling, for residential visitor parking spaces, and for all non-residential uses.
Table 6-2	Parking Rate Calculation for Independent Living Facility and Supportive Living Facility	The current parking rate calculation for an Independent Living Facility and Supportive Living Facility is one (1) parking space per four (4) beds.	Amend the parking rate in Table 6-2 to one (1) parking space per bedroom for an Independent Living Facility and Supportive Living Facility.
Table 6-2 Section 6.10 Table 8-2 Table 9-2 Table 11-2	Multiple requirements regarding Car Wash and Drive Through Stacking Lane Requirements	Table 6-2 incorrectly references section 5.22 for Stacking Lane Requirements for a Car Wash and section 6.10 for Stacking Lane Requirements for a Drive-Through.	Remove the requirement for Car Wash and Drive Through from Table 6-2 and add notes on the permitted use tables to refer to section 6.10 for Stacking Lane Requirements.
Table 7-5	Lot and Building Requirements for the R4 and R5 Zones	Minimum required setback to a garage in the front or exterior side yard is missing.	Add Note 2 for Single Detached Dwellings for R4, R4A, R5 and R5A Zones for front and exterior side yard requirements.

Table 8-2 Table 8-4	Additional Requirements to Tables 8-2 and 8-4 - Note 2	Specific uses subject to Note 2 on Tables 8-2 and 8-4 are only permitted as part of a Mixed-Use Development and are limited to a <i>maximum</i> of 30% of the gross floor area of all uses on the lot. However, Vaughan Official Plan, 2010 requires a <i>minimum</i> of 30% of the total gross floor area to consist of uses other than retail uses.	Remove Note 2 from the additional requirements to Tables 8-2 and 8-4 and any corresponding reference to Note 2 in the tables.
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## Committee of the Whole (1) Report

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**DATE:** Tuesday, October 8, 2024

**WARD(S):** ALL

**TITLE:** CITY-WIDE ZONING BY-LAW AMENDMENTS –  
COMPREHENSIVE ZONING BY-LAW 001-2021, ZONING BY-  
LAW 1-88: PROTECTED MAJOR TRANSIT STATION AREAS,  
FILE NO.: Z.024.011

**FROM:**

Haiqing Xu, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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**Purpose**

To seek Council approval of City-initiated amendments to Comprehensive Zoning By-law 001-2021 (“CZBL”) and Zoning By-law 1-88 (“ZBL 1-88”). The purpose of the amendments is to delineate Protected Major Transit Station Area (“PMTSA”) boundaries, as shown on Attachment 1, and to remove vehicular parking rate requirements for lands within a PMTSA.

**Report Highlights**

- Official Plan Amendment Number 101 (“OPA 101”) was adopted by Council on September 26, 2023, and approved by York Region, without modifications, on November 23, 2023, to delineate and establish PMTSA boundaries and identify minimum density targets.
- OPA 101 came into force on November 17, 2023.
- Amendments are proposed to the CZBL and ZBL 1-88 to delineate PMTSA boundaries to conform with OPA 101 and to remove minimum vehicular parking rate requirements for lands within a PMTSA to conform with Bill 185, the *Cutting Red Tape to Build More Homes Act, 2024* (“Bill 185”).
- The statutory Public Meeting for the amendments was held on September 10, 2024.
- This report addresses comments received from the September 10, 2024, Committee of the Whole (Public Meeting).

## **Recommendations**

1. THAT Zoning By-law Amendment File Z.24.011 BE APPROVED, to amend Comprehensive Zoning By-law 001-2021 and Zoning By-law 1-88 to delineate Protected Major Transit Station Area boundaries, as shown on Attachment 1, and to remove vehicular parking rate requirements for lands within a PMTSA, as set out in this report; and
2. THAT all necessary by-law(s) be enacted.

## **Background**

**Location:** City-wide Zoning By-law Amendments that apply to all 20 PMTSAs in the City of Vaughan, as shown on Attachment 1.

### ***Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol.***

- a) Date Notice of Public Meeting was circulated: August 15, 2024.
- b) A Notice of Public Meeting was published in the Toronto Star on August 10, 2024.
- c) Notification of the Public Meeting was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca).
- d) Notification of the Public Meeting was provided via email to Vaughan Ratepayers Groups and applicable external agencies.
- e) Date of Public Meeting: September 10, 2024, ratified by Council on September 24, 2024.

A Committee of the Whole (Public Meeting) was held on September 10, 2024 to receive comments from the public and the Committee of the Whole on the proposed amendments. Council, on September 24, 2024, ratified the recommendations of the Committee of the Whole to receive the Public Meeting report of September 24, 2024, and to forward a comprehensive report to the Committee of the Whole.

One (1) deputation was heard, and 41 written submissions were received at the Committee of the Whole (Public Meeting) of September 10, 2024. A summary of the comments provided and received to date are shown on Attachment 2.

***OPA 101 was adopted by Council on September 26, 2023, and approved by York Region, without modifications, on November 23, 2023. OPA 101 came into force on November 17, 2023.***

The purpose of OPA 101 was to bring Vaughan Official Plan 2010 (“VOP 2010”) policies into conformity with the York Region Official Plan 2022 (“YROP”) by delineating PMTSA boundaries identified in the YROP and identifying minimum density targets.

***The Planning Act requires local municipalities to amend all in-effect zoning by-laws to conform with applicable PMTSA official plan policies.***

On October 20, 2021, Council adopted the CZBL. The CZBL affects all properties within the City of Vaughan, with the exception of lands in the vicinity of Yonge Street and Steeles Avenue West. The CZBL replaces ZBL 1-88 with the exception of matters of transition pursuant to section 1.6 of the CZBL and the Yonge-Steeles Corridor Secondary Plan area.

The CZBL has been appealed to the Ontario Land Tribunal (“OLT”) by a number of appellants. The OLT issued an order on December 28, 2022, which was subsequently corrected on March 28, 2023, bringing into effect sections of the CZBL that have not been appealed.

Pursuant to subsection 16(20) of the *Planning Act*, the City is required to amend all in-effect zoning by-laws to ensure they conform with PMTSA policies in OPA 101 no later than one year after OPA 101 came into effect (November 17, 2023). Under subsections 34(19.5) and (19.9) of the *Planning Act*, if the zoning by-law amendment is passed prior to November 17, 2023, it cannot be appealed.

As such, amendments to both the CZBL and ZBL 1-88 are proposed to delineate PMTSA boundaries, as shown on Attachment 1.

***On June 6, 2024, Bill 185 received Royal Assent which includes amendments to the Planning Act with respect to parking requirements in PMTSAs.***

As amended by Bill 185, subsections 16(22) and 34(1.1) of the *Planning Act* restrict official plans and zoning by-laws from containing policies and provisions that have the effect of requiring an owner or occupant of a building or structure to provide and maintain parking facilities, other than bicycle parking facilities, on land that is located within a PMTSA. Pursuant to subsections 16(23) and 34(1.2) of the *Planning Act*, a policy or provision that contravenes this restriction is of no effect.

Amendments to the CZBL and ZBL 1-88 are proposed to remove vehicular parking rate requirements for lands within a PMTSA to conform with the amendments to the *Planning Act* implemented through Bill 185.

### **Previous Reports/Authority**

Official Plan Amendment Major Transit Station Areas, Committee of the Whole (Public Meeting) Report

[May 30, 2023, Committee of the Whole Public Meeting \(Item 4, Report 2\)](#)

Official Plan Amendment (Major Transit Station Areas) City-wide – File No. 26.18,  
Committee of the Whole (1) Report  
[September 12, 2023, Committee of the Whole \(1\) Meeting \(Item 6, Report 1\)](#)

Vaughan Official Plan Review Update Report, Committee of the Whole (1) Report  
[May 7, 2024, Committee of the Whole \(1\) Meeting \(Item 6, Report 1\)](#)

City-Wide Zoning By-law Amendments Comprehensive Zoning By-law 001-2021 Zoning  
By-law 1-88 Protected Major Transit Station Areas File No.: Z.024.011, Committee of  
the Whole (Public Meeting) Report  
[September 10, 2024, Committee of the Whole Public Meeting \(Item 4, Report 2\)](#)

## **Analysis and Options**

### **Amendments are proposed to the CZBL.**

The following are the amendments proposed to the CZBL:

- Amendments to specific Maps in Schedule A to delineate the boundaries of all 20 PMTSAs in the City of Vaughan identified in OPA 101, as shown in Attachment 1.
- A new definition of “protected major transit station area” is proposed to be added to Section 3.0 Definitions.
- Adding a provision providing that the minimum required parking space rates identified in Table 6-2 shall not apply to lands located within the boundary of a PMTSA.

### **Amendments are proposed to ZBL 1-88.**

The following are the amendments proposed to ZBL 1-88:

- Adding a new Schedule “B1” to delineate PMTSA boundaries. The proposed Schedule “B1” will include a series of Maps specific to each PMTSA and will delineate the boundaries of all 20 PMTSAs in the City of Vaughan identified in OPA 101, as shown in Attachment 1.
- A new subsection is proposed to be added to Section 1.0 Interpretation and Administration to clarify the purpose of Schedule “B1” and to recognize Schedule “B1” as forming part of ZBL 1-88.
- A new definition of “protected major transit station area” is proposed to be added to Section 2.0 Definitions.
- Amendments are proposed to Section 3.8 Parking Requirements and Section 3.8.1 Parking Requirements for the Vaughan Metropolitan Centre by adding a provision providing that the minimum required parking space rates identified in Sections 3.8 a), b), c) and n) and 3.8.1 a), b) and c) shall not apply to lands located within the boundary of a PMTSA.

***The City has been working towards updating the VOP 2010 through the Official Plan Review (“OPR”) process.***

A review of the CZBL will be undertaken following the completion of the OPR process to ensure the CZBL conforms to the land use designations, height and density requirements in the updated official plan, as well as all other new or updated official plan policies. Lands located within a PMTSA boundary will be reviewed as part of the conformity exercise to ensure the zoning of site-specific lands within a PMTSA boundary conform to the PMTSA policies of the updated official plan following the completion of the OPR process.

**Financial Impact**

There are no requirements for new funding associated with this report.

**Operational Impact**

Policy Planning and Special Programs staff consulted Legal Services to understand the requirements of the *Planning Act* with respect to the proposed Zoning By-law Amendments. Building Standards/Zoning staff, Development Planning staff, Legal Services, and Yonge-Steeles Policy Planning and Special Programs staff were substantially engaged during the development of the draft amendments. The draft amendments were circulated to all applicable City departments, York Region, and the Toronto and Region Conservation Authority for review and comment. Staff comments have been addressed through internal discussions and have resulted in minor revisions to the proposed draft amendments, where applicable.

Policy Planning and Special Programs staff met with Toronto and Region Conservation Authority staff to discuss suggested additions to the Zoning By-law Amendments. The suggested additions are outside the scope of this conformity exercise and Toronto and Region Conservation Authority comments will be considered as part of the ongoing OPR process and subsequently, the comprehensive review of the CZBL that will follow the completion of the OPR process.

**Broader Regional Impacts/Considerations**

OPA 101 brought the VOP 2010 into conformity with YROP policies and Provincial Plans by delineating PMTSA boundaries identified in the YROP and identifying minimum density targets. OPA 101 came into force on November 17, 2023, and was approved by York Region on November 23, 2023. Pursuant to the *Planning Act*, the City is required to amend the CZBL and ZBL 1-88 to ensure they conform with the PMTSA policies in VOP 2010.

In accordance with the amendments to the *Planning Act* implemented through Bill 185, York Region became a Region without planning responsibilities effective July 1, 2024. Pursuant to subsection 70.13(2) of the *Planning Act*, the YROP is deemed to constitute an official plan of the City in respect of any area in the City to which it applies and will remain in effect until the City revokes or amends it.

Notwithstanding, York Region staff were circulated the proposed amendments and confirmed they have no comments as the purpose is to delineate the boundaries of PMTSAs to conform with Schedule 1C - Protected Major Transit Station Areas of the VOP 2010, add a new definition of “protected major transit station areas”, and remove the minimum vehicular parking rate requirements in accordance with amendments to the *Planning Act*.

### **Conclusion**

The proposed amendments to the CZBL and ZBL 1-88 are intended to bring the zoning by-laws into conformity with VOP 2010 PMTSA policies by delineating PMTSA boundaries and to remove vehicular parking rate requirements for lands within a PMTSA to conform with the *Planning Act* amendments implemented through Bill 185.

The Policy Planning and Special Programs Department recommends that Zoning By-law Amendment File Z.24.011 to amend the CZBL and ZBL 1-88 as set out in this report, be approved.

**For more information**, please contact Carly Murphy, Planner, Policy Planning and Special Programs Department, ext. 8630.

### **Attachments**

1. Location Map of Protected Major Transit Station Areas in Vaughan.
2. Summary Table of Public Comments and City Staff Responses.





### **Prepared by**

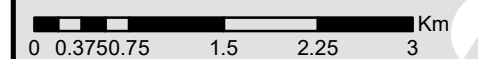
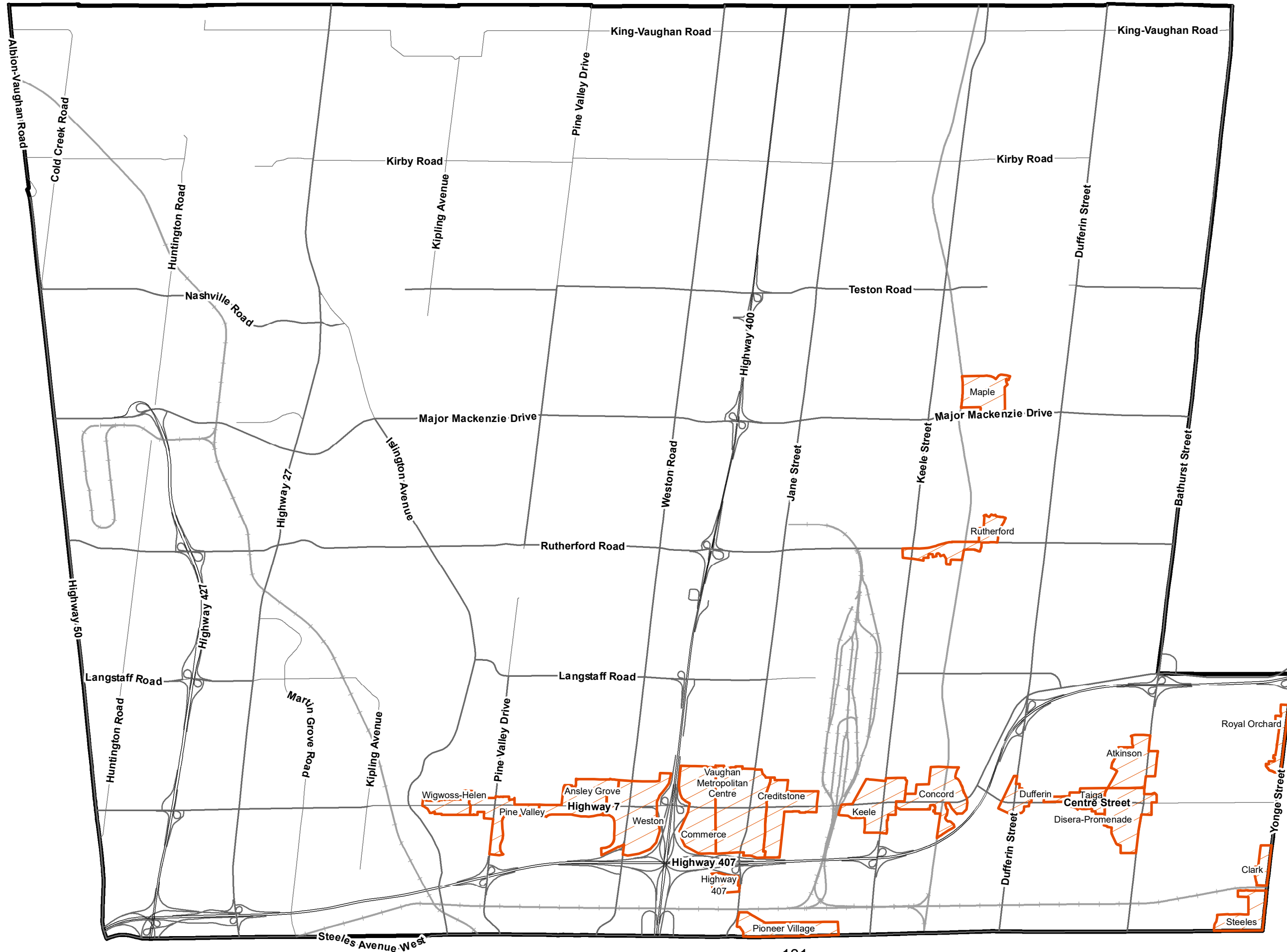
Carly Murphy, Planner, Policy Planning, ext. 8630.

Fausto Filippetto, Senior Manager of Policy Planning, ext. 8699.

Christina Bruce, Director of Policy Planning and Special Programs, ext. 8231.

## Location Map of Protected Major Transit Station Areas in Vaughan

-  PMTSA
-  Railway
-  Road Network
-  Municipal Boundary







**Table 1: Summary Table of Public Comments and City Staff Responses**

Comment Theme	Summary of Comments	Policy Planning Staff Response
PMTSA 65 – Rutherford GO Station Boundary	<ul style="list-style-type: none"> <li>• Opposition to high density development at 9222 Keele Street, within the PMTSA 65 – Rutherford GO Station boundary.</li> <li>• Would like Sherwood Park Community and more specifically, 9222 Keele Street removed from the PMTSA 65 boundary out of concern for change to community character, environmental considerations, traffic congestion and lack of infrastructure to support high-density residential development on the site.</li> <li>• Residents feel the expansion to the PMTSA 65 boundary to include 9222 Keele Street was approved without regard for residents and the community.</li> </ul>	<p>The site municipally known as 9222 Keele Street was included in the boundary of PMTSA 65 through a Provincial modification made to the YROP 2022 as approved by the Minister. OPA 101 to the VOP 2010 was adopted by Council on September 26, 2023, and approved by York Region, without modifications on November 23, 2023, to delineate PMTSA boundaries and identify minimum density targets to conform to the YROP 2022, in accordance with requirements of the <i>Planning Act</i>.</p> <p>The City is required to update in-effect zoning by-laws within a 1-year timeframe of OPA 101 coming into effect in accordance with the <i>Planning Act</i>. The proposed Zoning By-law Amendments conform to the PMTSA boundaries delineated by Schedule 1C – Protected Major Transit Station Areas, in accordance with requirements of the <i>Planning Act</i>.</p>



## Committee of the Whole (1) Report

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**DATE:** Tuesday, October 08, 2024

**WARD:** 1

**TITLE:** 2281539 ONTARIO INC. – ZONING BY-LAW AMENDMENT FILE Z.17.014, DRAFT PLAN OF SUBDIVISION FILE 19T-17V003: 10 BEVAN ROAD, VICINITY OF NETHERFORD ROAD AND CLEMSON CRESCENT

**FROM:**

Haiqing Xu, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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**Purpose**

To advise the Committee of the Whole of additional lifting of the Holding Symbol “(H)” Conditions required to facilitate the residential development approved by Vaughan Council on May 22, 2024, to permit 21 single detached dwellings, an open space block, and roads (the ‘Development’), as shown on Attachment 2.

**Report Highlights**

- Zoning By-law Amendment and Draft Plan of Subdivision Files Z.17.014 and 19T-17V003 were approved by Council on May 22, 2024, Item No. 2 of Report No. 17 of the Committee of the Whole.
- Additional Conditions for the Lifting of the Holding Symbol “(H)” are required to facilitate the development as approved by Council.
- No changes to the Council approved development are being sought.
- The recommended amendments will be reflected in the implementing by-law.

**Recommendations**

1. THAT Recommendation 2 of the Committee of the Whole Report dated May 7, 2024 (Item No. 2, Report No. 17), be amended by adding condition b) as follows:

The Holding Symbol “(H)” shall not be removed from the Subject Lands or any portion thereof, until the following conditions are addressed to the satisfaction of the City and the Toronto and Region Conservation Authority (TRCA):

- a) Confirmation of the extent of the erosion hazard (i.e., physical top of slope and/or long-term stable top of slope) associated with the valley corridor and establishment of an applicable 10 metre setback from the erosion hazard limit to the satisfaction of TRCA.
- b) As the Subject Lands require the future ‘Street A’ to be constructed with interest from the adjacent lands known as Part of Lot 19, Concession 4 and Part 3, Reference Plan No. 65R-19970 (7 Bevan Road) (Files Z.14.005 and 19T-14V002), the “H” is to only be lifted under one of the following two scenarios:
  - i) The future ‘Street A’ is constructed by the Owner and the Owner has secured the necessary lands external to the Subject Lands to be conveyed to the City, free of all costs and encumbrances, prior to the occupancy of any units on the Subject Lands to the satisfaction of the City; or
  - ii) The Owner has demonstrated that an alternate interim roadway for ‘Street A’ can be achieved through a Transportation Impact Study (‘TIS’) including, but not limited to, functional design drawings, to the satisfaction of the City. The Owner shall identify and secure any necessary lands required to facilitate the interim solution, including lands external to the Subject Lands to be conveyed to the City, free of all costs and encumbrances, prior to the occupancy of any units on the Subject Lands to the satisfaction of the City.

## **Background**

Location: 10 Bevan Road (the ‘Subject Lands’). The Subject Lands and the surrounding land uses are shown on Attachment 1. A single detached dwelling and accessory buildings are currently located on the Subject Lands.

### ***Applications have been submitted to permit the proposed development***

2281539 Ontario Inc. (the ‘Owner’) have submitted a Zoning By-law Amendment and Draft Plan of Subdivision (the ‘Applications’) for the Subject Lands to permit the Development as shown on Attachment 2:

1. Zoning By-law Amendment File Z.17.014 to amend Zoning By-law 1-88 to rezone the Subject Lands from “A Agricultural Zone” and “R1 Residential Zone” to “R1(H) Residential Zone”, “R2 (H) Residential Zone”, and “OS1(H) Open Space Zone”, all with the Holding Symbol “(H)”, as shown on Attachment 2.

2. Draft Plan of Subdivision File 19T-17V003, as shown on Attachment 2 ('Draft Plan') to facilitate a residential subdivision consisting of 21 single detached lots, an open space (Block 22), a public pathway (Block 24), 0.3 m reserves (Block 23), and public roads.

Council approved the Applications for the Subject Lands on May 22, 2024. Following Council approval, Development Planning staff initiated the preparation of the implementing By-law for these Applications. During this process, Staff identified additional Conditions of Lifting the Holding Symbol "(H)" in order to implement the approved Development as shown on Attachments 1 and 2 of the Committee of the Whole Report dated May 7, 2024 (Item No. 2, Report No.17). The rationale for the additional amendments being sought are as follows:

- The Subject Lands require the future "Street A to be constructed with interest from the adjacent lands known as Park of Lot 19, Concession 4 and Part 3, Reference Plan No. 65R-19970 (7 Bevan Road) (Files Z.14.005 and 19T-14V002 which are in process.

### **Previous Reports/Authority**

Previous reports related to the applications can be found at the following links:

[October 3, 2017 Committee of the Whole \(Public Hearing\) \(Item No. 2 Report No. 36\)](#)

[September 13, 2023 Committee of the Whole \(Public Meeting\) \(Item No.1 Report No. 36\)](#)

[May 7, 2024 Committee of the Whole \(Item No. 2 Report No. 17\)](#)

### **Financial Impact**

There are no requirements for new funding associated with this report.

### **Operational Impact**

There are no operational impacts associated with this report.

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

York Region has no objection to the Development, subject to their comments and conditions of approval included in the May 7, 2024, Committee of the Whole report, Item No. 2 Report No. 17.

The TRCA has no objection to the Development subject to the conditions of approval included in the May 7, 2024, Committee of the Whole report, Item No. 2 Report No. 17.

### **Conclusion**

This report provides further clarification to the Committee of the Whole regarding the additional Conditions of Lifting the Holding Symbol "(H)" to facilitate the Council approved Applications. The Recommendations of this report seek to update Recommendation 2 of the Committee of the Whole Report dated May 7, 2024 (Item No.

2 Report No. 17) and approved by Council on May 22, 2024. The Development Planning Department is satisfied the Recommendations contain the additional conditions require to facilitate the Development of the Subject Lands as approved by Council. The implementing By-law will include the above amendments.

**For more information**, please contact Carol Birch, Planner, at extension 8485.

### **Attachments**

1. Context and Location Map.
2. Council Approved Draft Plan of Subdivision and Proposed Zoning (May 22, 2024).

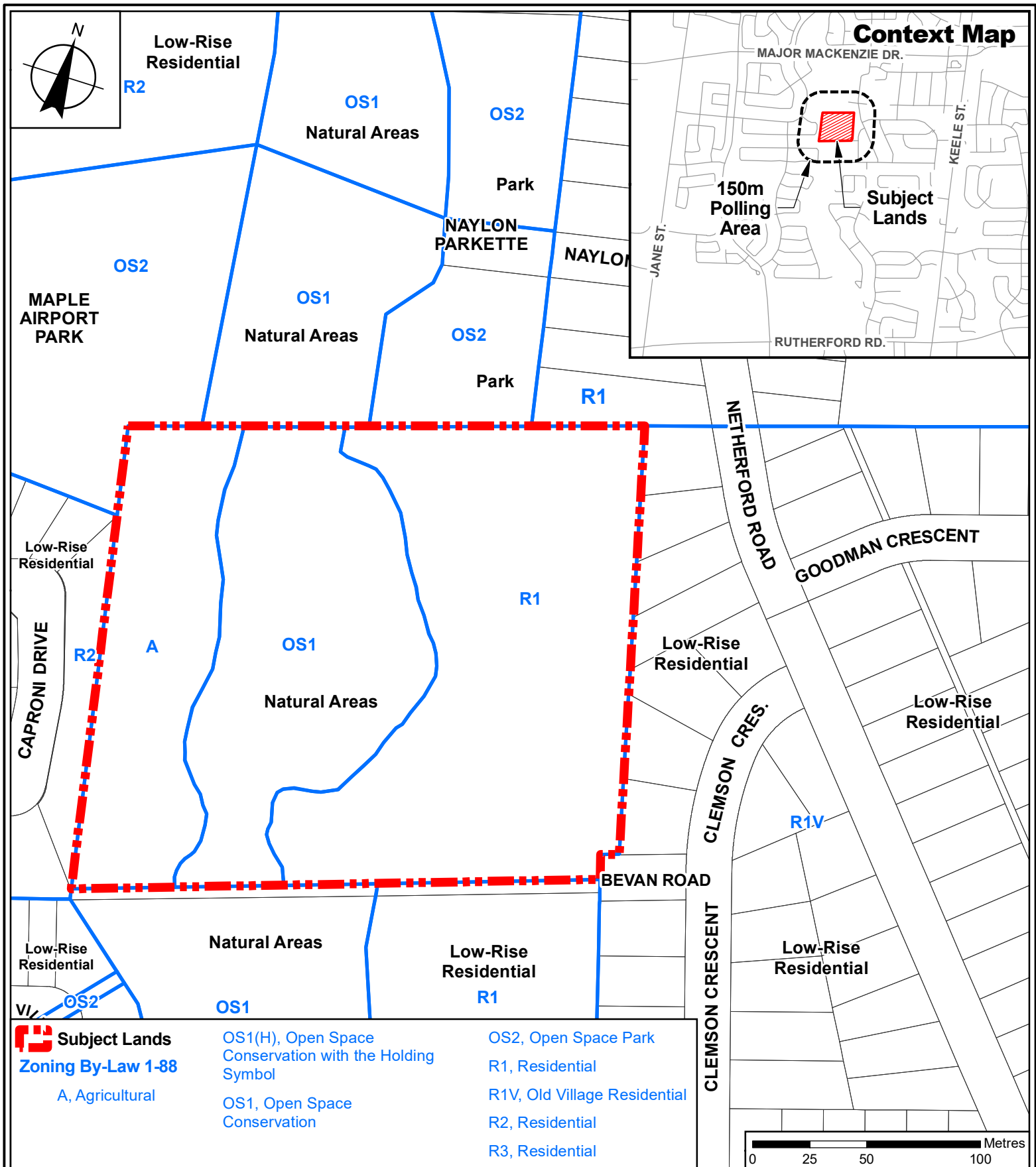
### **Prepared by**

Carol Birch, Planner, ext. 8485.

Margaret Holyday, Senior Planner, ext. 8216.

Mary Caputo, Senior Manager of Development Planning, ext. 8635.

Nancy Tuckett, Director of Development Planning, ext. 8529.



## Context and Location Map

**Location:**  
10 Bevan Road  
Part of Lot 19, Concession 4

**Applicant:**  
2281539 Ontario Inc.

## Attachment

**Files:**  
Z.17.014 and 19T-17V003

**Date:**  
October 8, 2024

1









## Committee of the Whole (1) Report

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**DATE:** Tuesday, October 08, 2024

**WARD:** 3

**TITLE:** WEDGEWOOD COLUMBUS LIMITED – OFFICIAL PLAN  
AMENDMENT FILE OP.19.015, ZONING BY-LAW AMENDMENT  
FILE Z.19.039: 7887 WESTON ROAD, VICINITY OF WESTON  
ROAD AND HIGHWAY 7

**FROM:**

Haqing Xu, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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**Purpose**

To seek endorsement from the Committee of the Whole of the Recommendations contained in this Report to REFUSE Official Plan and Zoning By-law Amendment Files OP.19.015 and Z.19.039 respecting the subject lands as shown on Attachment 1.

**Report Highlights**

- Wedgewood Columbus Limited (the 'Owner') submitted Official Plan and Zoning By-law Amendment Files OP.19.015 and Z.19.039 (the 'Applications') to permit 2,290 apartment units within 4 mixed-use buildings ranging in height from 41 to 51-storeys and 2,735 m<sup>2</sup> of non-residential gross floor area on the ground floor area and a Floor Space Index ('FSI') of 11.09 times the area of the lot (the 'Development').
- The Applications are located within the Weston and 7 Secondary Plan Area.
- The statutory Public Meeting for the Applications was held on September 15, 2020.

### **Report Highlights continued**

- On August 4, 2022, the Owner appealed the Applications to the Ontario Land Tribunal ('OLT') citing Council's failure to make a decision on the Applications within the timeframe prescribed by the *Planning Act*.
- OLT Case Management Conference ('CMC') was held on February 28, 2023.
- Five days of mediation were held on April 11, May 6, May 27, July 19 and August 15, 2024.
- The OLT scheduled a four-week hearing beginning on January 13, 2025.
- Staff seek endorsement from the Committee of the Whole to refuse the Applications.

### **Recommendations**

That the OLT be advised that Vaughan Council ENDORSES the following recommendations:

1. THAT Official Plan Amendment File OP.19.015 (Wedgewood Columbus Limited) BE REFUSED, to amend Vaughan Official Plan 2010, Volume 1 and Volume 2, as identified in Table 1 of this report for the subject lands, as shown on Attachment 1;
2. THAT Zoning By-law Amendment File Z.19.039 (Wedgewood Columbus Limited) BE REFUSED, to amend Zoning By-law 1-88 to rezone the subject lands from "C7 Service Commercial Zone", subject to site-specific Exception 9(754B) to "RA3 Apartment Residential Zone" in the manner shown on Attachments 2 to 6, together with site-specific zoning exceptions identified in Table 2 of this report;
3. THAT should the OLT approve the Applications, the proposed Privately-Owned and Publicly Accessible Spaces ('POPS') not be credited towards satisfying the parkland dedication requirements for the Development;
4. THAT if the OLT approves the Applications, Legal Services shall request the OLT to withhold its final Order until the final form of the Official Plan Amendment ("OPA") and Zoning By-law Amendment ("ZBA") are prepared and submitted to the OLT on the consent of all parties;
5. THAT should the OLT approve the Applications, in whole or in part, a Holding Symbol "(H)" be applied to the implementing zoning by-law(s) and shall not be removed from the Subject Lands or any portion thereof until such time that the (H) conditions listed in Attachment 9 to this report are addressed, to the satisfaction of the City;
6. THAT Legal Services attend the OLT hearing to oppose the Applications based on the recommendations contained in this report with regard to Official Plan and Zoning By-law Amendment Files OP.19.015 and Z.19.039; and

7. THAT if the OLT approves the Applications in whole or in part, Council authorize the Deputy City Manager, Planning and Growth Management to finalize the draft OPA and ZBA instruments for approval by the OLT.

## **Background**

**Location:** 7887 Weston Road (the 'Subject Lands'). The Subject Lands are located on the southeast corner of Weston Road and Chrislea Road and are currently developed with a multi-unit commercial building. The Subject Lands and the surrounding land uses are shown on Attachment 1.

### ***Official Plan and Zoning By-law Amendment Applications have been submitted to permit the proposed development***

The Owner submitted the Applications for the Subject Lands to permit 2,290 apartment units within 4 mixed-use buildings ranging in height from 41 to 51-storeys and 2,735 m<sup>2</sup> of non-residential gross floor area on the ground floor area and a Floor Space Index ('FSI') of 11.09 times the area of the lot (the 'Development'), as shown on Attachments 2 to 6.

### ***The Owner is seeking approval of the Development in advance of Council approval of the Weston 7 Secondary Plan***

Schedule 14A - Areas Subject to Secondary Plans in Vaughan Official Plan 2010 ('VOP 2010'), identifies the Subject Lands as being located within the Weston Road and Highway 7 Secondary Plan Area ('W7SP'), as shown on Attachment 1. The W7SP is comprised of a 123 ha area surrounding the Weston Road and Highway 7 intersection, bounded by Fieldstone Drive and Chrislea Road/Portage Parkway to the north, the Highway 400 corridor to the east, the Highway 407 corridor to the south, and Ansley Grove Road/Whitmore Road to the west. The Secondary Plan area is located west of the Vaughan Metropolitan Centre ('VMC').

### ***The Weston 7 Secondary Plan study is ongoing and is currently progressing towards Phase 3 of the project***

Phase 1 of the project commenced in 2018. It included a comprehensive background review and resulted in the development of an enhanced draft vision, guiding principles and three conceptual land use scenarios to guide the development of the Secondary Plan. On June 12, 2019, Vaughan Council received the W7SP Phase 1 final report and directed Staff to proceed with Phases 2 and 3 based on the findings of the Phase 1 Report.

In May 2020, the City initiated Phases 2 and 3 of the W7SP. Through Phase 2, three drafts of the Secondary Plan have been prepared, including the preferred land use plan, heights and densities, supporting transportation network, parks and open spaces, and servicing to support the anticipated growth and the creation of a complete community in the Weston 7 area. Staff continue to seek feedback from the community, landowner groups and other interested stakeholders, as part of finalizing the W7SP. Currently, four in-person community meetings are scheduled on October 16 and October 23, 2024.

In Phase 3, a final secondary plan will be presented to Council for a decision, providing a recommendation to guide future growth and development of the W7SP study area into a complete, vibrant and active community.

A Transportation Master Plan ('TMP') for the W7SP area is being undertaken concurrently with the W7SP to develop the transportation infrastructure that supports the forecasted growth.

It is noted that seven (7) development applications within the W7SP have been received by the City, approximately covering 47% of the Secondary Plan Area. Staff have not proceeded to a technical report and Council has not yet taken a position on the development applications. At the public meeting, Council's direction was not to approve the applications proceeding in advance of the W7SP being considered by Council. It is also noted that Centro Square (located at the northeast corner of Weston Road and Highway 7) was previously approved by Vaughan Council in 2012 and then appealed to the Ontario Municipal Board ('OMB') (now referred to as the OLT) and subsequently approved by the OMB in 2013, as shown in Attachment 1.

***The Owner appealed the Applications to the OLT for non-decision on August 4, 2022***

On August 4, 2022, the Owner appealed the Applications to the OLT pursuant to subsections 22(7) and 34(11) of the *Planning Act*, citing Council's failure to make a decision on the Applications within the prescribed timelines of the *Planning Act* (OLT Case Nos. OLT-22-004652 and OLT-22-004653) (the 'Appeals').

A first OLT CMC regarding the Appeals was held on February 28, 2023. The parties to this matter are the Owner, the City, the Region, Home Depot and Potentia Renewables Inc. (the latter being neighbouring property owners) (the 'Parties'). The parties advised the OLT that they agreed to adjourn the hearing dates set for Mid-May/June 2024 to January 2025 to allow for mediation of the matter.

***The Parties agreed to confidential & without prejudice mediation***

Five days of mediation were held on April 11, May 6, May 27, July 19 and August 15, 2024.

Although the Parties are continuing their discussions, given the upcoming 4-week hearing beginning January 13, 2025, a decision on the Applications is required.

***Related Site Development Application DA.24.017 ('DA.24.017') has been submitted by the Owner***

In accordance with Bill 109, if the Applications are approved by the OLT, the related DA.24.017 approval has been delegated to the Deputy City Manager, Planning and Growth Management.

***Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol***

- Date of Notice (Circulated 750 m of the W7SP and to the Weston Downs Ratepayers Association, as shown on Attachment 1): August 21, 2020
- Location of Notice Signs: Weston Road, Chrislea Road and Northview Boulevard
- Date of Public Meeting: September 15, 2020, date ratified by Council September 29, 2020

- Date of Committee of the Whole Courtesy Notice sent to those requested to be notified: September 30, 2024

### ***Public Comments were received***

The following is a summary of the comments provided and received to date. The comments are organized by theme as follows:

#### **Poor Infrastructure, Traffic and Population Increase**

- the Applications and the neighbouring Calloway REIT (400 and 7) Inc. (Attachment 1) applications contain a total of 5,965 residential apartment units and will add to an already congested area and to the traffic gridlock
- existing infrastructure is not equipped to handle this much increase in population and congestion
- negative impact on surrounding businesses
- lack of green spaces with increased population proposed
- need for more retail stores, police, fire, schools, day cares and social services

#### **Shadow Effects**

- the operators of the Solar Energy System located on the roof of the Home Depot, located east of the Subject Lands, provided comments regarding the negative impacts of the Development, including shadows
- the Province, Region of York and City of Vaughan have policies to encourage the use and support of renewable energy systems such as the existing Solar Energy System. The Development is not consistent with and does not conform to policies as it will reduce solar gains and prevent the generation of renewable electricity by the Solar Energy System
- shadow effect on the neighbouring residential properties

#### **Completion of the Weston 7 Secondary Plan is Required**

- the processing of the Applications is premature until a secondary plan has been approved for the area
- the Development in its current form is not consistent with and does not conform to existing policies

### **Previous Reports/Authority**

Previous reports related to the Subject Lands can be found at the following links:

Wedgewood Columbus Limited Public Meeting Report

[September 15, 2020, Committee of the Whole \(Public Meeting\) \(Item 2, Report No. 39\)](#)

W7SP Draft #3

[June 5, 2024, Committee of the Whole \(Working Session\) \(Item 2, Report No. 24\)](#)

### **Analysis and Options**

***The Development is not consistent with the Provincial Policy Statement and does not conform to the Growth Plan, York Region Official Plan, VOP 2010 and the W7SP Draft 3***

Provincial Policy Statement, 2020 ('PPS')

The PPS provides direction on matters of Provincial interest related to land use planning and development and includes policies related to building strong, healthy communities with an emphasis on efficient development and land use patterns, wise use and management of resources, and protecting public health and safety.

The Subject Lands are located within a Settlement Area, have access to regional transit services and municipal services and infrastructure. However, Policy 1.1.1 speaks to ensuring a balance of land uses and infrastructure for the current and future needs. The Applications cannot be looked at in isolation, the Development along with the development potential within the W7SP need to be reviewed comprehensively (Policy 1.1.3.2, 1.1.3.3 and 1.2.1). Currently, the Development far exceeds the planned growth and in combination with the other developments, will exceed the infrastructure capacity within the W7SP area, even with projected improvements to servicing and transportation infrastructure.

This coordinated, integrated and comprehensive approach to managing and promoting intensification and infrastructure capabilities in line with the PPS Policy 1.2.1 can be seen through the processing of the W7SP (Policy 1.1.3.3 and 1.2.1). The Development proceeding in advance of the completion of the W7SP with various infrastructure limitations and height and density exceedances is not consistent with the PPS since it does not represent an integrated or comprehensive approach to managing growth. While the W7SP is not yet complete, the underlying land use planning analysis done to date is still applicable to the good planning of a site-specific development and should inform the policy underlying this application.

On this basis, the Development is not consistent with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the 'Growth Plan')

The Growth Plan provides a framework for implementing the Province's vision for building strong, prosperous communities within the Greater Golden Horseshoe to 2051. The premise of the Growth Plan is building compact, vibrant and complete communities, developing a strong competitive economy, protecting and wisely using natural resources, and optimizing the use of existing and new infrastructure to support growth in a compact and efficient form.

Despite the Subject Lands being within an Intensification area, in proximity to higher order transit facilities and within a Protected Major Transit Station Area ('PMTSA'), the level of intensification proposed is far larger than what the W7SP Draft 3 and TMP envisioned for the area. This Development does not represent integrated planning where infrastructure and land use planning needs to be coordinated (Policy 3.2.1 and 3.2.2).

The Subject Lands and the W7SP area currently exist as a commercial and entertainment destination. The Development proposes less than 2% of the proposed GFA devoted to non-residential uses. Policy 2.2.1.4 and 2.2.4.8 of the Growth Plan supports Development by planning for a diverse mix of uses within an PMTSA and complete communities. VOP



2010 does not have a minimum non-residential GFA component requirement however, Policy 5.1.1.3 and 5.2.3 speak to retail development promoting employment opportunities, which is needed for complete communities and supported within Intensification Areas. Draft 3 of the W7SP requires a minimum non-residential GFA component of 15% and 20% for the Subject Lands.

Based on the above, the Development does not conform to the Growth Plan.

#### The Provincial Planning Statement 2024 ("PPS 2024")

The Provincial Planning Statement 2024 ('PPS 2024') is a policy statement issued pursuant to section 3 of the *Planning Act* and comes into effect on October 20, 2024. All decisions made on or after October 20, 2024, in respect of the exercise of any authority that affects a planning matter shall be consistent with this policy statement.

At the time of drafting this report, transition provisions to facilitate the introduction of the new PPS 2024 were being considered by the Ministry of Municipal Affairs and Housing, and not yet available. This report therefore includes discussion of, *inter alia*, the Provincial Policy Statement 2020, the Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and the new PPS 2024.

PPS 2024 contains similar policies to PPS 2020 and the Growth Plan as discussed above in terms of requiring a coordinated, integrated and comprehensive approach to planning to ensure that there is sufficient infrastructure, multimodal transportation systems, public service facilities and waste management systems (Policy 6.2.1). The Development proceeding in advance of the W7SP does not provide for a planned and coordinated approach.

In accordance with Policy 2.4.1 b), Strategic Growth Areas Planning authorities should identify the appropriate type and scale of development in strategic growth areas and the transition of built form to adjacent areas. This is carried through from the Growth Plan (2.2.2.3 b) and speaks to the importance of having an appropriate scale and transition to adjacent areas. The Development does not provide for an appropriate transition to the established and stable low-rise area in the northwest. W7SP Draft 3 also contemplates this by providing a transition to the established neighbourhood through the reduction of heights and densities on the northern half of the Subject Lands. W7SP Draft 3 focuses heights and density closer to the intersection of Weston Road and Highway 7 where higher order transit exists.

Based on the above, the Development does not conform to the PPS 2024.

#### York Region Official Plan 2022 ('YROP 2022')

York Region Council adopted the YROP 2022 in June 2022. YROP 2022 was approved, as modified, by the Minister of Municipal Affairs and Housing in November 2022, bringing it into full force and effect. Bill 150 (*Planning Statue Law Amendment Act, 2023*) and Bill 162 (*Get It Done Act, 2024*) later rescinded some of those modifications.

On June 6, 2024, Bill 185 (*Cutting Red Tape to Build More Homes Act, 2024*) ('Bill 185') received Royal Assent which includes amendments to the *Planning Act*. In accordance with the amendments to the *Planning Act* implemented through Bill 185, York Region became a Region without planning responsibilities effective July 1, 2024.

Pursuant to subsection 70.13(2) of the *Planning Act*, YROP 2022 is deemed to constitute an official plan of the City in respect of any area in the City to which it applies and will remain in effect until the City revokes or amends it.

The proposed 11.09 FSI and 2,759 persons and jobs per hectare density are more reflective of densities planned for Regional Centres, including the Vaughan Metropolitan Centre (Policy 4.4.1). Another important planning policy direction for intensification areas is the creation of pedestrian oriented, complete communities. The provision of retail and personal service establishments within close walkable proximity to the development is needed to help reduce the dependence of automobile trips (Policy 4.4.9). The Development is planned to be a mixed-use development however, the non-residential component only represents 2% of the total GFA of the development where the residential GFA is at 98%.

The Development Planning Department is not satisfied that the Development provides for an appropriate density, height and mix of uses as directed by the YROP 2022 to these areas (Policies 2.3 and 4.2.1) and does not provide for an appropriate transition of built form to adjacent areas (Policy 2.3.11) in a manner that complements the existing community, as envisioned by VOP 2010.

The Development proposes a significant increase to the maximum permitted density and does not constitute comprehensive planning as envisioned through the W7SP study process. According to Policy 2.3.2, communities shall be planned in a comprehensive and coordinated manner optimizing infrastructure with a mixed-use pedestrian friendly and transit supportive built form. At the proposed density of 11.09 FSI, the Development exceeds planned growth, which has an impact on infrastructure.

The Subject Lands are suitable for redevelopment and intensification given their location within a Strategic Growth Area and PMTSA however, the scale of the anticipated Development and development opportunity within the W7SP area creates constraints on the required municipal service infrastructure and transportation system (Policies 4.4.10 and 4.4.25). It is important that individual development proposals do not over burden the area through over-development on any one site. Development should be guided by the planning work done in respect of the W7SP to ensure comprehensive planning (Policy 4.4.11).

On this basis, the Development does not conform to the YROP 2022.

#### York Region Official Plan 2010 ('YROP 2010')

The YROP 2022 replaces the YROP 2010 with respect to applications not deemed to be complete as of the YROP 2022 date of approval (Transition Policy 7.4.13). As the Applications were deemed complete prior to the approval of YROP 2022, the YROP 2010

remains as the in-force Regional Official Plan against which conformity of the Applications is measured.

The YROP 2010 designates the Subject Lands 'Urban Area', located adjacent to the Highway 7 Regional Corridor. The Development does not satisfy Policy 8.3.8 and has the potential to adversely affect Regional planning policies and interests including:

- directly and substantially affect Regional servicing infrastructure, i.e., roads, water and sewer
- substantial changes to Regional capital forecasts
- major application adversely affecting Regional traffic flows

On this basis, the Development does conform to the YROP 2010.

***The Development does not conform to the VOP 2010***

VOP 2010 sets out the municipality's general planning goals and policies that guide future land use. The Subject Lands are identified in VOP 2010 as follows:

- "Intensification Area - Primary Centre" on Schedule 1 – "Urban Structure" of VOP 2010 with frontage onto a "Regional Transit Priority Network" (Weston Road)
- PMTSA 68 – Weston BRT Station on Schedule 1C – "Protected Major Transit Station Areas" with a minimum density of 250 persons and jobs per ha
- "Mid-Rise Mixed-Use" with no prescribed maximum building height or Floor Space Index ('FSI') by Volume 1
- This designation permits a mid-rise building type identified in VOP 2010 as generally buildings over five storeys in height and up to a maximum of twelve-storeys
- Volume 2, Schedule 14A – "Areas Subject to Secondary Plans" identifies the Subject Lands as being located within the W7SP

Policy 2.2.1.1 of VOP 2010 establishes a hierarchy of Intensification Areas ranging in height and intensity of use with the VMC being the major focus for intensification for a wide range of residential, office, retail, cultural and civic uses. The VMC is planned to be the location of the tallest buildings and most intense concentration of development within the City of Vaughan. Primary Centres will be locations for intensification accommodated in the form of predominantly mixed-use high and mid-rise buildings, developed at an intensity supportive of transit.

The existing multi-unit commercial plaza abuts the Home Depot loading area to the east. The Development's land use is changing to a more sensitive land use being residential adjacent to the existing commercial use (Home Depot). The driveway and building access would abut the Home Depot's loading area. Policy 9.2.1.12 requires that the existing use will be protected by landscaping, buffering or screening devices and measures to reduce nuisances. A Land Use Compatibility (Air Quality) has not been submitted and it is required to determine if any existing operations in the area would cause an adverse effect on the Development and future residents. Furthermore, a noise report has been submitted by the Owner which has recommended the use of a Class 4 Area Designation; a peer review of this report by an acoustical consultant retained by the City is required before the City can support the recommendation for this designation.

The Development with heights of 41 to 51 storeys and a density of a 11.09 FSI, impacts sun exposure onto the established neighbouring community of low-rise residential dwellings to the northwest of the Subject Lands (Attachment 1). In addition, this is not in keeping with Policy 9.1.2.1 which states that the Development should respect and reinforce the existing and planned context. The existing low-rise residential is outside of the W7SP and will not be redeveloping, therefore appropriate transition is needed. The Development does not conform to the emerging W7SP Draft 3 and is much higher, denser, providing shadow impacts, does not create appropriate transitions, and does not respect or reinforce the planned context (Policy 9.1.2.7).

In addition, the Urban Design Section have identified concerns in accordance with Policy 9.2.3 that have not been successfully addressed and relate to separation distances, setbacks, shadowing, privacy issues, floorplate size, overall coordination with neighbouring properties, management of uses in relation to their impact on the public realm, microclimate, wind, height transition, massing in relation to their impact on the public realm and more.

Development especially in areas where a secondary plan has been identified needs to be coordinated in accordance with Policies 8.1.1 and 10 to ensure that development is coordinated with policies that sequence development in an orderly way, coordinated with the provision of human services, transit and other infrastructure. This Development and the other proposed applications in the W7SP (Attachment 1) cannot achieve this in advance of the completion of the W7SP.

On this basis, the Development does not conform to VOP 2010.

***VOP 2010 includes policies regarding the processing of a development application in required Secondary Plan Areas***

VOP 2010 includes the following policies regarding the consideration of a development application where a Secondary Plan has not been completed or commenced by the City:

Policy 10.1.1.6 states: "That where it has been determined that a Secondary Plan is required but not yet completed, no amendments to this Plan or the zoning by-law will be permitted without prior or concurrent adoption of the Secondary Plan for that area."

Policy 10.1.1.13 states: "That upon direction by Council to staff to proceed with the processing of a development application in advance of the Secondary Plan, it will be required that the applicant attend a pre-application consultation meeting with appropriate staff at which meeting the requirements for various studies will be established, to the satisfaction of the City, to be undertaken as part of a complete application."

Policy 10.1.1.9 of VOP 2010 also enables the City to request additional studies in support of a development application it states (in part) "That in addition to the studies listed in Policy 10.1.3.3, the City may require the preparation of additional studies... as determined through the Pre-Consultation Meeting."

A Pre-Consultation Meeting was held on July 11, 2019, whereby City and external review public agency staff identified the submission requirements for the Applications.

The intensity of development proposed by the subject Applications far exceeds the envisioned growth for the Subject Lands in the emerging W7SP. Additionally, when considered with the applications submitted by the other landowners and the existing Centro Square Development as shown on Attachment 1, the proposed combined growth represents 50,850 people for 8 sites whereas, the W7SP Draft 3 estimate 40,750 people for the entirety of the secondary plan area. The proposed population exceeds the planned population by 10,000 people with only approximately 50% of the land area subject to submitted development applications. In addition, the proposed employment (jobs) within the submitted Applications combined including the existing Centro Square represents only 6% of the new population having employment opportunities within the proposed non-residential portions of the buildings (an activity rate of 17 residents: job) whereas, W7SP Draft 3 envisions approximately 34% (an activity rate of 3 residents: job).

***The W7SP Draft 3 was presented to Working Session on June 5, 2024***

When approved, the W7SP will establish the framework to guide land use, building heights, densities, transportation, urban design and parks and open space, as well as the phasing and the implementation of the Secondary Plan.

Currently the W7SP Draft 3 identifies the Subject Lands as follows:

- Schedule 1 Land Use Designations - “Mixed-Use I” and “Mixed-Use II”, “Mixed-Use I” at the northern end of the Subject Lands abutting Chrislea Road, where a minimum of 15% of the GFA is required to include non-residential uses, and “Mixed-Use II” at the southern end of the Subject Lands abutting Northview Boulevard where 20% of the GFA is required to include non-residential uses
- Schedule 2 Building Height – “High-Rise I” at the northern end and “High-Rise II” at the southern end
  - High-Rise I – The maximum height for High-Rise Building shall be 18-storeys with a maximum FSI of 6 (northern end)
  - High-Rise II – The maximum building height for High-Rise Buildings shall be 32-storeys and a maximum FSI of 7.5 (southern end)
- The City may consider taller buildings within the High-Rise 1 designation up to a maximum of 25-storeys, and within the High-Rise II designation up to a maximum of 45-storeys, subject to the confirmation that there are no undue, adverse impacts on any adjacent properties. No permitted increase in maximum permitted density.
- Schedule 4 Transportation System – identifies an Active Transportation (AT) Link

On June 25, 2024, Council approved the June 5, 2024, Working Session’s recommendation to receive the item and endorse the expansion of the W7SP boundary.

The Development does not conform to the intent of the emerging W7SP Draft 3.

***The Development Planning Department does not support the Development as it does not conform to the intent of the emerging W7SP***

In consideration of the above, the Development Planning Department recommends refusal of the Development for the reasons outlined above.

***Council enacted Zoning By-law 001-2021 on October 20, 2021 as the new Vaughan Comprehensive Zoning By-law ('CZBL')***

The Applications were submitted December 23, 2019, and deemed to be complete on July 27, 2020. The Applications have been determined to be transitioned in accordance with Subsection 1.6.3.3.1 and therefore are subject Zoning By-law 1-88 as amended only.

The Owner has appealed the CZBL for the Subject Lands.

***The Development Planning Department recommends refusal of Zoning By-law Application File Z.19.039 that is required to permit the Development***

**Zoning (By-law 1-88):**

- The Subject Lands are currently zoned "C7 Service Commercial Zone" by Zoning By-law 1-88, subject to site-specific Exception 9(754B).
- This Zone does not permit the Development.
- The Owner proposes to rezone the Subject Lands to RA3 Apartment Residential Zone together with the site-specific zoning exceptions identified in Table 2 on Attachment 8 to permit the Development, as shown in Attachments 2 to 6.

The Development Planning Department does not support the site-specific standards proposed in Table 2 for the Development, as it does not facilitate a development that conforms or meets the intent of the above noted policies.

On this basis, the Development Planning Department recommends refusal of Zoning By-law Amendment File Z.19.039.

***Should the OLT approve the Applications, either in whole or in part, a Holding Symbol "(H)" is recommended for the Subject Lands to satisfy the conditions of the City and York Region***

Should the OLT approve the Applications, a Holding Symbol "(H)" is recommended to be placed on the proposed zoning for the Subject Lands to address the outstanding issues discussed throughout this report. The Holding Symbol "(H)" shall not be removed from the Subject Lands, or any portion thereof, until the conditions included in the Recommendation section of this report and identified on Attachment 9 are addressed to the satisfaction of the City. A condition to this effect is included in the Recommendations of this report.

**Financial Impact**

There are no requirements for new funding associated with this report.

**Operational Impact**

***The Environmental Planning Section of the PPPS Department has no objections to the Development***

PPSP, Environmental Planning staff have reviewed the Applications, and do not have an interest in this application as there are no natural heritage features on the Subject Lands.

***The Development Engineering ('DE') Department does not support the Development however, provided conditions of approval should the OLT approve the Applications***

The DE Department has provided the following comments, should the OLT approve the Applications, in whole or in part, a number of holding conditions related to the approval have been included below and consolidated in Attachment 9:

Water Servicing

The Subject Lands are situated within Pressure Districts 6 ('PD 6') of the York Water Supply System. The Subject Lands are proposed to be serviced through connections to the city watermains on Chrislea Road, Northview Boulevard and Weston Road.

The City had initiated a city-wide municipal servicing master plan update entitled Integrated Urban Water Master Plan ('IUW-MP'). The Study had assessed the existing and planned municipal servicing systems (water, wastewater, stormwater) to support the City's Official Plan review ('OPR'). A Functional Servicing Strategy Report ('FSSR') for the W7SP Area was done through the master plan update. Water servicing shall conform to the conclusions and recommendations of the IUW-MP and FSSR.

Sanitary Servicing

The IUW-MP had assessed the existing and planned municipal servicing systems (water, wastewater, stormwater) to support the City's OPR. The FSSR for the W7SP Area was done through the master plan update.

The Subject Lands are proposed to be serviced through connections to the municipal sanitary sewers on Chrislea Road and Weston Road. The existing peak sanitary flow of the existing 1-storey commercial building is estimated to be 3.16 L/s. The proposed development will result in an increase in sanitary flow of 75.75 L/s to the 525 mm diameter sanitary sewer on Weston Road. The FSSR for the W7SP area shows that the downstream sewers require upgrades under ultimate built-out conditions.

The Scoped MESP & Functional Servicing and Storm Water Management Report submitted as part of the Applications states that the Subject Lands and the future W7SP intensification can be accommodated by the existing municipal sanitary sewer infrastructure, without the need for external upgrades or retrofits to the sanitary sewer system. This report contradicts the findings of the IUW-MP and FSSR. Sanitary servicing shall conform to the conclusions and recommendations of the IUW-MP and FSSR.

Storm Servicing

The Subject Lands are proposed to be serviced by storm service connection to the municipal storm sewer on Northview Boulevard. Quality and quantity controls are proposed to be provided on-site. The submitted Scoped MESP & Functional Servicing and Storm Water Management Report describes that due to the urban infill nature of the Development water balance is not possible, and the first 5 mm of rainfall events will be captured and retained on site for reuse.

Storm servicing shall conform to the conclusions and recommendations of the IUW-MP and FSSR.

#### Lot Grading

The grading, erosion and sediment control design drawings were submitted in support of the Subject Lands. The drawings should reflect upon all the special structures and property required necessary to service the Subject Lands. The Owner shall inform the City of any operation and maintenance obligations for future municipal or private infrastructure including retaining walls, soil stability requirements or other proposed structures necessary to facilitate the development of the Subject Lands. A detailed evaluation of the grading design and erosion and sediment control measures will be conducted when the detailed drawings are submitted for the City's review.

#### Servicing Allocation

Should the OLT approve the Applications in whole or in part, the City requires a Holding Symbol ("H") on the Zoning for the Development.

THAT the Holding Symbol ("H") shall not be removed from the Subject Lands, or any portion (phase) thereof, until the following condition(s) are satisfied:

- 1) Vaughan Council adopts a resolution allocating sewage and water supply capacity in accordance with the City's approved Servicing Capacity Distribution Policy assigning capacity to the subject lands.

#### Noise Analysis

A preliminary Noise Feasibility Assessment was provided for the Development. This report addressed transportation noise only, stationary noise sources were not included.

A Noise and Vibration Impact Study ('NVIS'), prepared by RWDI, dated August 28, 2023, was provided with File DA.24.017. DE noted that this NVIS recommended that a Class 4 Area designation be obtained for this Development. To support a Class 4 Area Designation, a Peer Review of this report will be required. The Owner has been requested to submit an \$8,000 deposit for professional fees and City of Vaughan administration to complete a third-party peer review of the study to support the recommendation for the classification of the site as a Class 4 Area. This payment has yet to be received. To this effect, a Holding Symbol 'H' condition related to the completion of a Peer Review to support the proposed Class 4 Area designation, shall apply to the captioned amending Zoning By-Law.

#### Environmental Site Assessment ('ESA')

Phase One and Phase Two ESA studies were submitted in the first circulation in support of the Applications. DE did not have any further comment on the submitted studies at that time.



DE noted that a Letter of Reliance for the Phase One and Two ESA reports, to be provided by Toronto Inspection Ltd. ('TIL'), the environmental consultant, is required. To this effect, a Holding Symbol '(H)' related to the provision of the requested Letter of Reliance.

It should be noted that the original Phase One and Phase Two ESA reports are now approximately five years old. To complete the aforementioned RSC filing, updated ESA reports will be required by the MECP. Upon completion, copies of these updated reports are requested by DE for review, and a Letter of Reliance for these additional reports will also be required at that time.

#### Air Quality Assessment

Air Quality Assessment has not been submitted. An Air Quality Land Use Compatibility Study is required to determine if any existing industrial/commercial operations in the vicinity would pose an adverse effect on the proposed residential development.

Subject to the findings of the Air Quality Land Use Compatibility Study, a Detailed Air Quality Impact Assessment may be required at site development application stage. At the site development application stage, applicable recommendations on air quality mitigation measures shall be incorporated into the final site plan and architectural plans; implementation of the mitigation measures as per approved final Air Quality Assessment and Mitigation Study shall be specified in site plan agreement conditions.

In the absence of an Air Quality Assessment, it is undetermined whether the Development is compatible with its surrounding environment. Should the OLT approve the Applications, a Holding Symbol '(H)' related to the provision of a Land Use Compatibility (Air Quality) Report be included in the zoning by-law to the satisfaction of the City. Subject to the findings of this report, a Detailed Air Quality Impact Assessment may be required.

#### Transportation Engineering ('TE')

TE has reviewed the Transportation Study Impact Study (TIS) and Addendum, as well as the submitted architectural drawings, in support of the Applications. TE is awaiting the completion of the W7SP which is expected to have implications to the Development involving transportation network improvements, active transportation facilities, parking, and TDM. At this time, staff understand from the results of the Weston 7 Transportation Master Plan (TMP) and the TIS and Addendum provided by the Owner that there will be notable transportation constraints throughout the W7SP area under the study's horizon. It is further understood that the Development density is significantly higher than that assumed as part of the TMP, with noteworthy constraints observed based on the TMP density as well.

Overall, it is the expectation of TE that the Application proposes a density which is not aligned with the W7SP and will lead to significant constraint through the network which may not be sufficiently mitigated by transportation improvements. Staff anticipate that to ensure the emerging transportation recommendations of the Secondary Plan can accommodate the proposal and other developments in the W7SP area, that either the density of the proposal will need to be reduced, or more aggressive traffic management

measure will need to be explored, including more aggressive parking maximums and TDM measures.

While the W7SP is currently in draft form, ultimately the Development as proposed is not aligned with the emerging policies of the W7SP and the TMP. The Development should be revised to ensure compliance with the draft W7SP and TMP. Given the draft state of the Secondary Plan, detailed and technical advisory comments were provided to the Owner to assist with revising the proposal to more closely align with the emerging policies of the W7SP.

Other concerns by TE related to the proposal involve the relationship of the Subject Lands to the neighboring existing Home Depot site and compatibility with the policies and planned transportation network within the W7SP. The Development has not demonstrated how the existing Home Depot operations can be satisfactorily maintained, while ensuring operations of the Development and its future residents can access the site reliably and safely.

***The Parks Infrastructure Planning and Development ('PIPD') Department does not support the Development***

The W7SP has not been finalized nor approved. As an approved final W7SP is not in place, the provision, size and location of parkland along with distribution of outdoor recreational facilities has not been determined and remains outstanding.

The W7SP area has a limited amount of parkland dedication, and larger park parcels within the area should be prioritized for parkland dedication and credit. The POPS is not intended to function as a public park block, and the design does not comply with Policies 7.3.2.4, 7.3.2.5, 7.3.2.6, and 7.3.2.8 of VOP 2010. PIPD do not recommend the POPS be considered as primary priority to receive parkland credit. PIPD staff recommend seeking payment-in-lieu of parkland for the Development, which will support public parkland acquisitions that will contribute to park programming needs for this community. PIPD defers to urban design staff for the design of the currently proposed space.

PIPD recommend to Council that parkland credit not be used for the proposed POPS, since it currently does not meet the design criteria for parks outlined in VOP 2010. A condition to this effect is included the recommendation section of this report.

***Cash-in-Lieu of the dedication of parkland is required***

For high-density residential development, the Owner shall, prior to the issuance of a Building Permit, convey land at the rate of 1 ha per 600 net residential units and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at the rate of 1 ha per 1000 net residential units, or at a fixed unit rate, at Vaughan's discretion, in accordance with the *Planning Act* and the City of Vaughan Parkland Dedication By-law. Notwithstanding the above, such parkland contribution—whether in the form of parkland conveyance or cash-in-lieu as determined by the City—shall be subject to a cap of (i) 10% of the Lands or value of the Lands if the Lands are 5 ha or less; or (ii) 15% of the Lands or value of the Lands if the Lands are greater than 5 ha.”

***Community Benefits Charge ('CBC') is applicable and will be collected at Building Permit Stage***

The Development meets the criteria for CBC being 5 or more storeys and 10 or more units. The City passed the CBC By-law on September 14, 2022, which is therefore the applicable mechanism used to collect community benefits

***City Departments, external agencies and various utilities provided comments or have no objections to the Development***

The Development Finance Department, Forestry division, Alectra, Rogers, Bombardier, Nav Canada, Enbridge and Canada Post have no objections to the Development, subject to comments being addressed through the related Site Development Application File DA.24.017.

The By-law & Compliance, Licensing & Permit Services Department, Financial Services, Cultural Heritage, Rogers and Emergency Planning, have no objections.

**Broader Regional Impacts/Considerations**

***Regional Municipality of York's ('York Region') interest and comments***

As discussed above, York Region became an upper-tier municipality without planning responsibilities on July 1, 2024. York Region's official plan in effect on that date is deemed to constitute an official plan of the City of Vaughan, in respect of the portions that apply to Vaughan. Analysis and discussion of the York Region official plan policies as they apply to the Development, are above.

York Region indicated that they do not have any comments on the Zoning By-law Amendment Application.

York Region is a party to the OLT hearing.

Should the Applications be approved by the OLT, York Region will review the related Site Development Application DA.24.017 with respect to matters of regional interest. A condition to this effect has been included in Attachment 9.

***Toronto and Region Conservation Authority ('TRCA') has no concerns***

The Subject Lands are not located within TRCA's Regulated Area. As such, any site alternation or development on the Subject Lands would not require a permit. TRCA's Planning and Regulatory policy interests are not impacted. TRCA has no comments or requirements.

***York Catholic District School Board ('YCDSB') considers the Development premature***

Until such time that the W7SP has been completed, and a preferred land use plan, including population projections, is available, the Development is premature for YCDSB to provide comments on site specific development proposals within the W7SP.

***York Region District School Board ('YRDSB') also considers the Development premature***

YRDSB has identified the need for a minimum of two elementary school sites and potentially three within W7SP, and has identified a conceptual school site location northeast of the intersection of Weston Road and Highway 7 within W7SP. The precise location of the school site is to be determined through W7SP and the following planning process.

Without completion of the W7SP to understand the proposed density/unit mix associated in the W7SP area, it is premature to provide formal comments or conditions of approval as review of student accommodation requirements cannot be undertaken.

Processing of the Applications should not proceed prior to the completion of the W7SP to determine land use within the entirety of the W7SP including the designation of a school site to the satisfaction of YRDSB to ensure the provision of adequate pupil accommodation.

***The Ministry of Transportation ('MTO') has concerns***

The Highway 400 and Highway 7 ramp is quite congested, MTO have serious concerns with the future ramp operation and traffic queuing back to the highway with all the upcoming new development proposed.

**Conclusion**

The Development Planning Department is not satisfied that the Applications are consistent with the PPS 2020, PPS 2024, conforms to the Growth Plan, YROP 2022, YROP 2010, VOP 2010 and the intent of the W7SP Draft 3, and is not appropriate for the development of the Subject Lands. The Development Planning Department does not consider the Development to be appropriate in advance of the W7SP as comprehensive planning is needed to deliver the required municipal service infrastructure and transportation system capacity. The proposed density, height and non-residential GFA does not conform to the intent of the emerging W7SP. Accordingly, the Development Planning Department recommends refusal of the Applications.

Should the OLT approve the Applications, either in whole or in part, it is recommended that the OLT withhold its final Decision and Order until the conditions shown on Attachment 9 have been fulfilled to the satisfaction of the City.

**For more information**, please contact Margaret Holyday, Senior Planner, at extension 8216.

**Attachments**

1. Location Map and Weston 7 Secondary Plan.
2. Site Plan and Proposed Zoning.
3. Landscape Plan.
4. Building Elevations – South and West.
5. Building Elevations – North and East.
6. Rendering.

7. Official Plan Amendment Table 1.
8. Zoning By-law 1-88 Table 2.
9. Conditions of Approval.

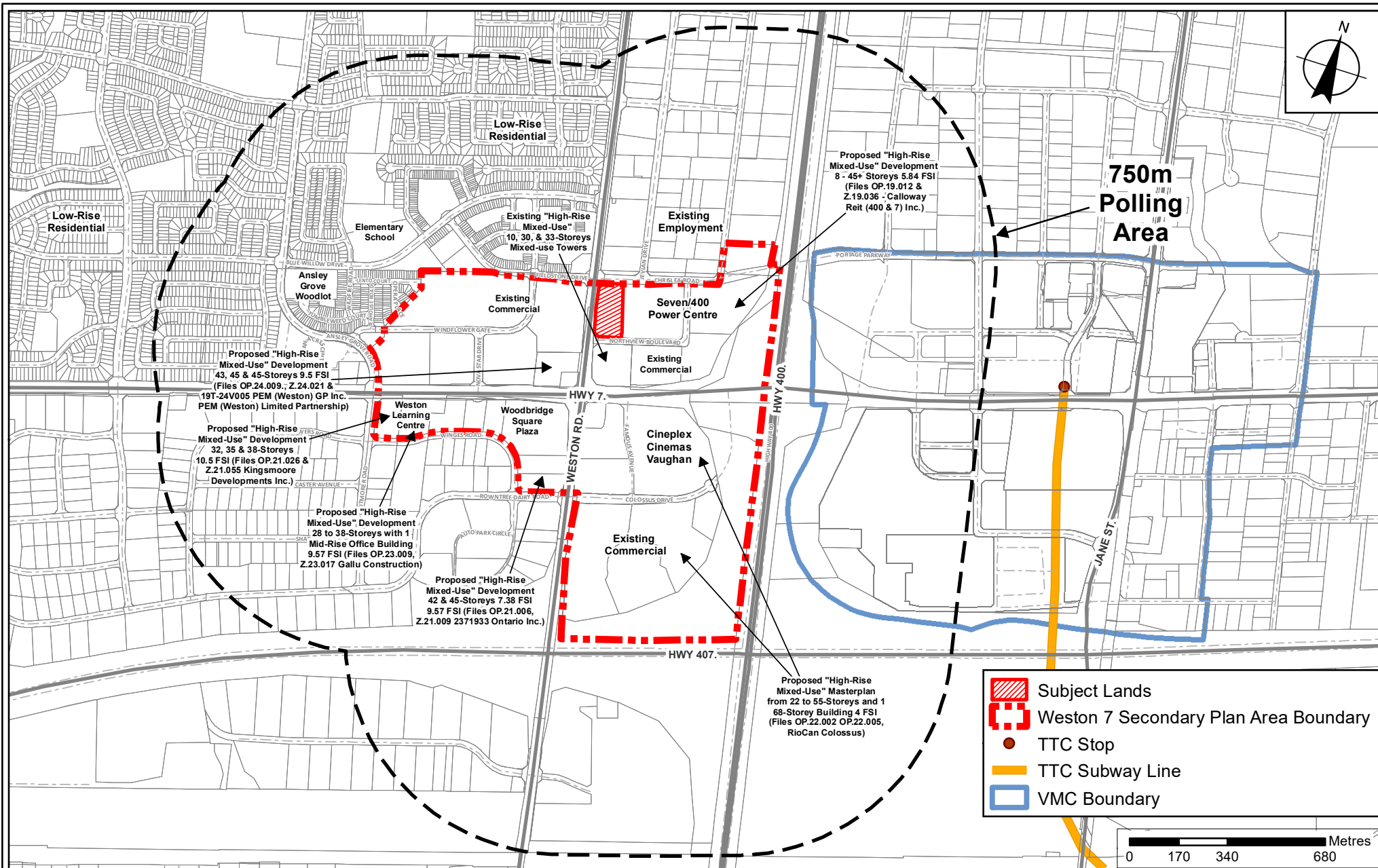
**Prepared by**

Margaret Holyday, Senior Planner, ext. 8216.

Carmela Marrelli, Senior Manager of Development Planning, ext. 8791.

Nancy Tuckett, Director of Development Planning, ext. 8529.





## Location Map and Weston 7 Secondary Plan Area

**Location:** 7887 Weston Road  
Part of Lot 6 Concessions 5

**Applicant:**  
Wedgewood Columbus Limited



163

## Attachment

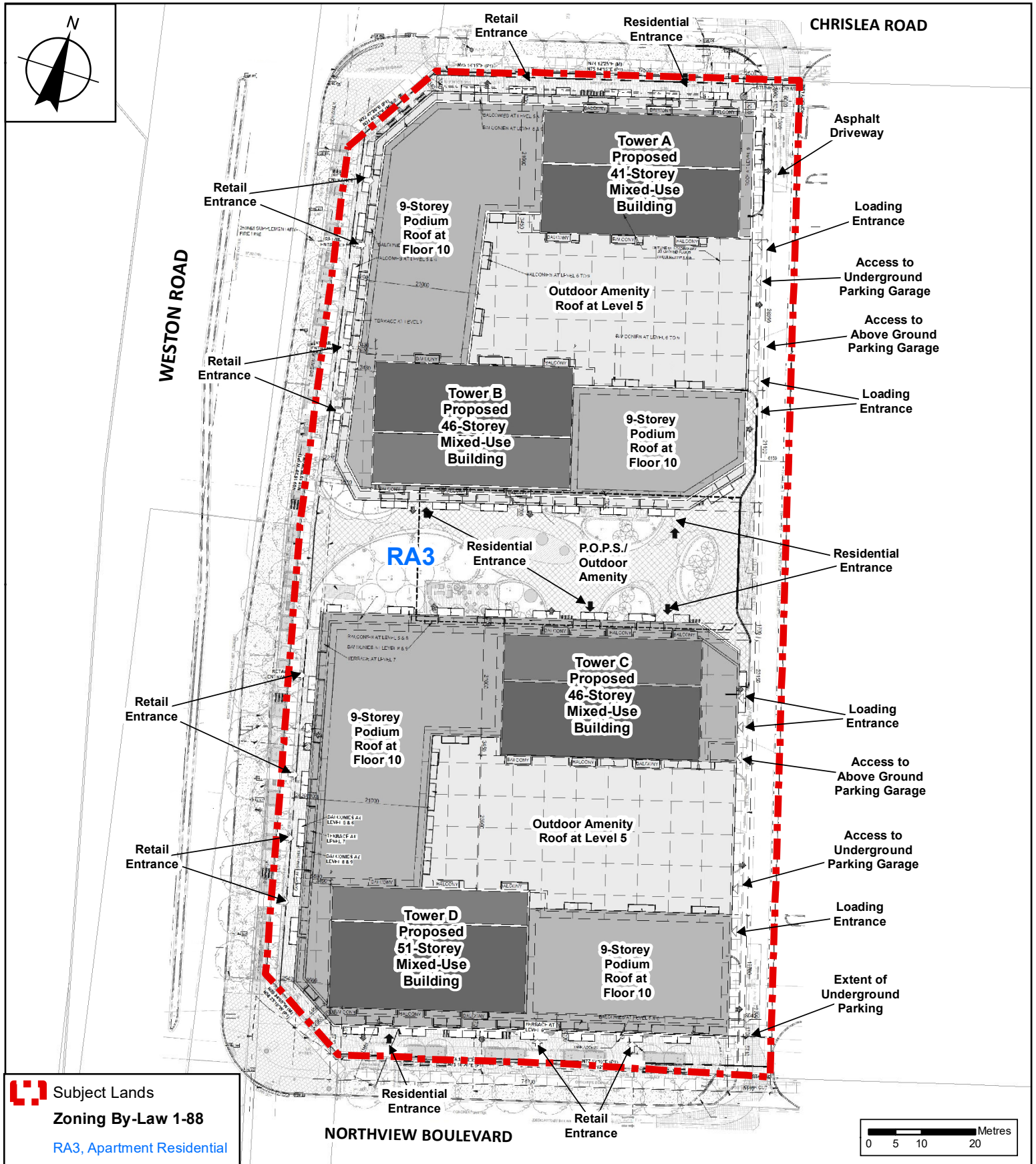
**Files:**  
OP.19.015 & Z.19.039

**Date:**  
October 8, 2024

1







# Site Plan and Proposed Zoning

LOCATION: 7887 Weston Road  
 Part of Lot 6, Concession 5

APPLICANT: Wedgewood Columbus Limited



## Attachment

FILES: OP.19.015, Z.19.039

RELATED FILE:

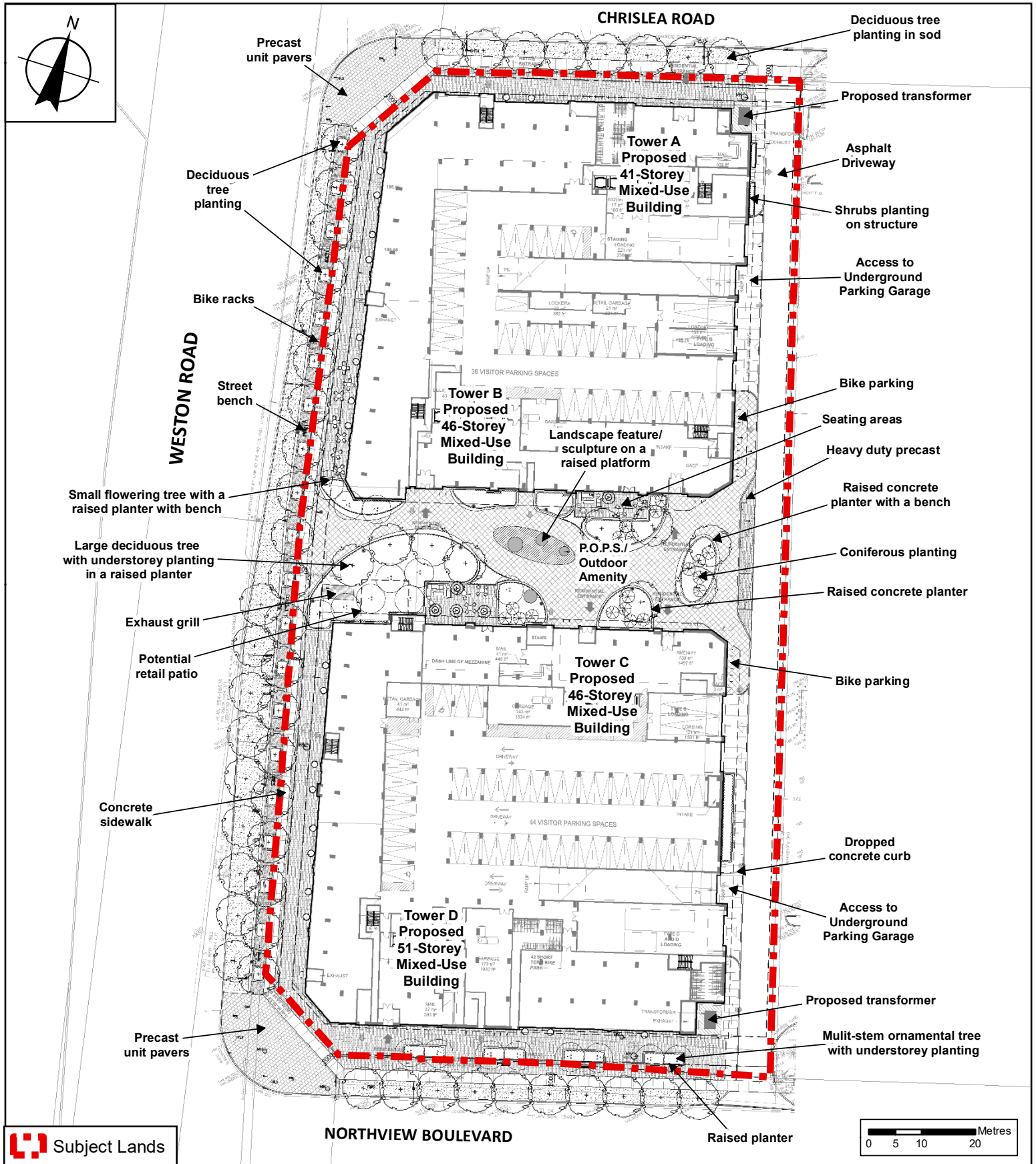
DA.24.017

DATE:

October 8, 2024

2





# Landscape Plan

**LOCATION:** 7887 Weston Road  
Part of Lot 6, Concession 5

**APPLICANT:**  
Wedgewood Columbus Limited

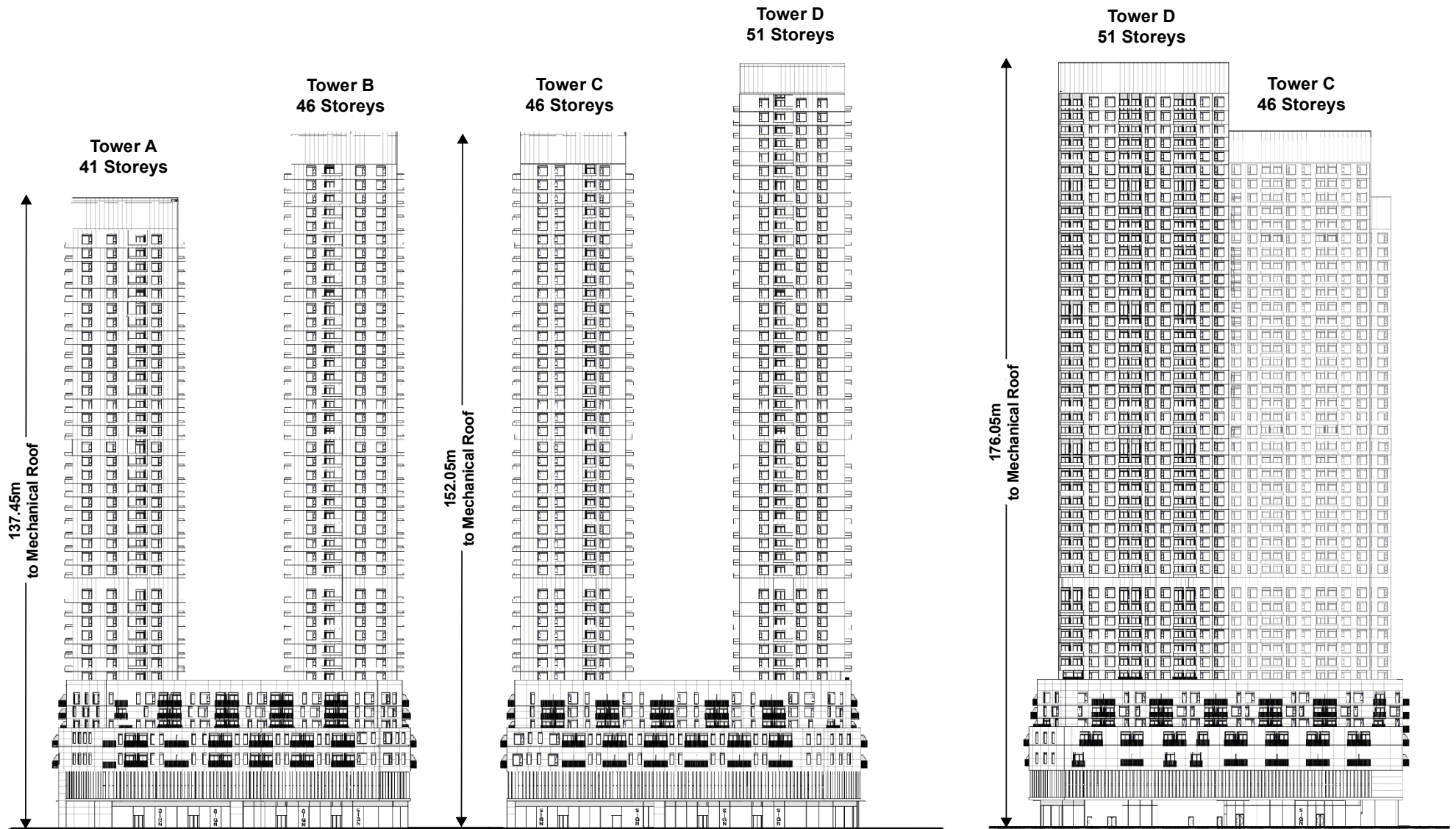


**FILES:** OP.19.015, Z.19.039  
**RELATED FILE:**  
DA.24.017  
**DATE:**  
October 8, 2024

**3**







West Elevations - Facing Weston Road

South Elevations - Facing Northview Boulevard

Not to Scale

## Building Elevations - South and West

**LOCATION:**  
7887 Weston Road  
Part of Lot 6, Concession 5

**APPLICANT:**  
Wedgewood Columbus Limited



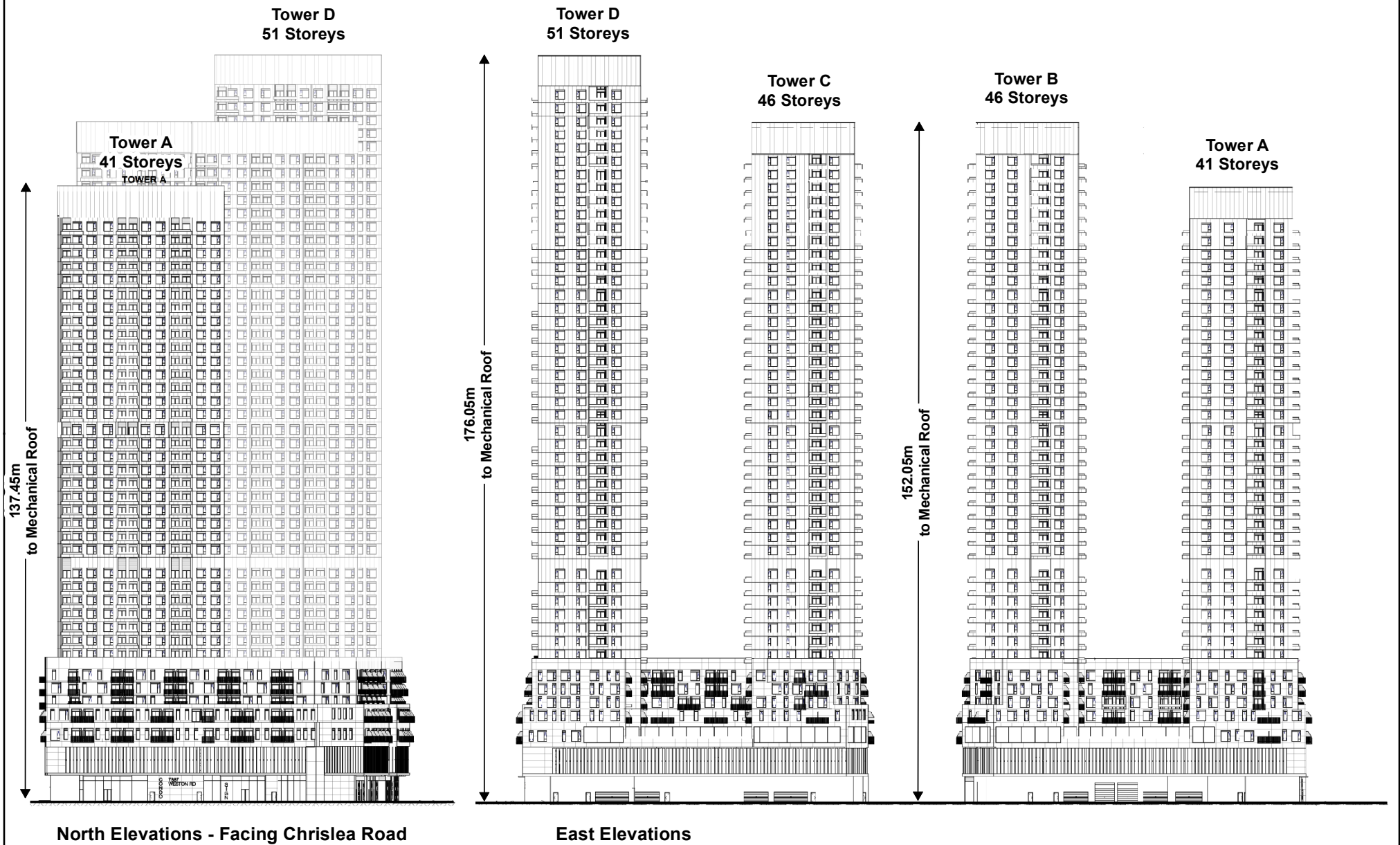
## Attachment

**FILES:** OP.19.015, Z.19.039  
**RELATED FILE:**  
DA.24.017

**DATE:**  
October 8, 2024

4





Not to Scale

## Building Elevations - North and East

### LOCATION:

7887 Weston Road  
Part of Lot 6, Concession 5

### APPLICANT:

Wedgewood Columbus Limited



## Attachment

FILES: OP.19.015, Z.19.039

RELATED FILE:  
DA.24.017

### DATE:

October 8, 2024

5







**Perspective - View From The West**

Not to Scale

## Rendering

**LOCATION:**  
7887 Weston Road  
Part of Lot 6, Concession 5

**APPLICANT:**  
Wedgewood Columbus Limited



## Attachment

**FILES:** OP.19.015, Z.19.039  
**RELATED FILE:**  
DA.24.017

**DATE:**  
October 8, 2024

6



## Attachment 7 - Official Plan Amendment

Table 1:

	<b>Applicable VOP 2010 Section</b>	<b>VOP 2010 Requirement</b>	<b>Proposed Exception to VOP 2010</b>
a.	Amending Volume 1, Schedule 14-C "Areas Subject to Site-Specific Plans"	The Subject Lands are not identified in Schedule 14-C "Areas Subject to Site-Specific Plans"	Identify the Subject Lands on Schedule 14-C in the next numeral order
b.	Amending Volume 2, Section 13.1.1.X "Areas subject to Site-Specific Policies"	The Subject Lands are not within Volume 2, "Areas subject to site-specific policies"	<p>Adding the Subject Lands and renumbering in sequential order as follows:</p> <p>"The lands municipally known as 7887 Weston Road identified on Schedule 14-C (as Item # ) are subject to the policies set out in Schedule 13 of this Plan."</p> <p>Adding the following site-specific policies:</p> <ul style="list-style-type: none"> <li>-maximum number of 2,290 residential units</li> <li>-maximum building height of 165 m (51-storeys)</li> <li>-a maximum density of 11.09 FSI shall be permitted</li> <li>-the placement of towers shall be provided through the implementing zoning by-law</li> <li>-the overall development shall be considered with the following reports to be approved through consideration of a zoning by-law amendment application:</li> </ul> <ul style="list-style-type: none"> <li>i. Planning rationale/ comprehensive development plan</li> <li>ii. Landscape master plans</li> <li>iii. Shadow study</li> <li>iv. Traffic impact/ phasing report</li> <li>v. Functional servicing report</li> <li>vi. Stormwater management report</li> </ul>

	<b>Applicable VOP 2010 Section</b>	<b>VOP 2010 Requirement</b>	<b>Proposed Exception to VOP 2010</b>
			vii. And any other reports considered appropriate by the municipality
c.	Schedule 13 – “Land Use”	“Mid-Rise Mixed-Use” designation	Designating to “High-Rise Mixed-Use” designation
d.	Schedule 13 – “Land Use” Maximum Building Height	No prescribed maximum building height has been identified	H 51
e.	Schedule 13 – “Land Use” Maximum Density	No prescribed maximum FSI has been identified	D 11.09

## Attachment 8 – Zoning By-law 1-88

Table 2:

	<b>Zoning By-law 1-88 Standard</b>	<b>RA3 Apartment Residential Zone Requirement</b>	<b>Proposed Exceptions to the RA3 Apartment Residential Zone Requirement</b>
a.	Permitted Uses	Apartment Dwelling Day Nursery	<p>The following uses shall be permitted with not outdoor display or storage:</p> <p>Apartment Dwellings Automotive Retail Store Banking or Financial Institution Banquet Hall, including an eating establishment Brewers Retail Outlet Business or Professional Office Club or Health Centre Day Nursery Eating Establishment Eating Establishment, Convenience Eating Establishment, Take-out Hotel, Motel, Convention Centre L.C.B.O Outlet Motor Vehicle Sales Establishment Multi-Unit Building Office Building Office and Stationary Supply, Sales, Service, Rental Parking Garage Parks and Open Space Personal Service Shop Pet Grooming Establishment, to be contained within a wholly enclosed building Pharmacy Photography Studio Place of Amusement Place of Entertainment Print Shop and Accessory Retail Sales Retail Nursery Retail Store Service or Repair Shop Studio Supermarket</p>

	<b>Zoning By-law 1-88 Standard</b>	<b>RA3 Apartment Residential Zone Requirement</b>	<b>Proposed Exceptions to the RA3 Apartment Residential Zone Requirement</b>
			Tavern Technical or Commercial School Veterinary Clinic
b.	Minimum Lot Area per Unit	67 m <sup>2</sup>	7.048 m <sup>2</sup>
c.	Minimum Front Yard Setback (Chrislea Road)	7.5 m	3.04 m
d.	Interior Side Yard Setback	82.175 m	8.5 m
e.	Minimum Exterior Yard Setback (Weston Road)	7.5 m	2.04
f.	Minimum Rear Yard Setback (Northview Blvd.)	7.5 m	5.71 m
g.	Maximum Encroachments (balconies and canopies)	Section 3.14	Not provided
h.	Maximum Building Heights	44 m	Tower A – 133.95 m Towers B and C – 148.35 m Tower D – 164.35 m
i.	Minimum Amenity Area	78,475 m <sup>2</sup>	9,160 m <sup>2</sup>
j.	Minimum number of parking spaces	4,166	1,828* *proposed visitor and retail spaces have not been allocated on parking plan
k.	Minimum Landscape Strips	6 m	4.04 m (Weston Road) Northview Blvd & Chrislea Road have not been dimensioned
l.	Minimum Landscape Percentage	10%	Not provided
m.	Driveway Widths (Chrislea Road and Northview Blvd)	Minimum 6 m to 13.5 m	Not provided
n.	Short-term Bicycle Parking	Cannot be located on landscape strips	Relief would be required

**Attachment 9**  
**Conditions of Approval**  
**Wedgewood Columbus Limited (the “Owner”)**  
**Official Plan Amendment File OP.19.015 and Zoning By-law Amendment File**  
**Z.19.039 (the “Applications”)**

Should the OLT approve the Applications, either in whole or in part, that the OLT withhold its final Decision and Order until the following conditions have been fulfilled to the satisfaction of the City:

- a. the implementing Official Plan Amendment is prepared to the satisfaction of the City;
- b. the implementing Zoning By-law Amendment is prepared to the satisfaction of the City and shall include the Holding Symbol “(H)” which shall not be removed from the subject lands, or any portion thereof, until the following conditions are addressed to the satisfaction of the City:
  - i. the Owner has contributed its share of the cost of infrastructure works and/or undertaken the necessary improvement works and entered into a Development Agreement (if required) with the City, for the works associated with implementing the municipal servicing improvements for the ultimate build-out of the Weston Road and Highway 7 Secondary Plan Area based on the conclusions and recommendations of the Integrated Urban Water Master Plan Environmental Assessment and latest Functional Servicing Strategy Report, as required to the satisfaction of the City.
  - ii. Vaughan Council adopts a resolution allocating sewage and water supply capacity in accordance with the City’s approved Servicing Capacity Distribution Protocol assigning capacity to the Subject Lands;
  - iii. appropriate Stormwater management improvements are secured to the City’s satisfaction.
  - iv. the Owner has entered into an agreement with the Landowners Group (LOG) or benefiting (participating) landowners within Weston and Hwy 7 Secondary Plan Area to the satisfaction of the City. The said agreement shall be regarding but not limited to all cost sharing for the required municipal services within the Weston and Hwy 7 Secondary Plan Area and shall also include a provision for additional developers to participate therein when they wish to develop their lands.
  - v. the Owner has obtained a clearance letter from the Trustee for the Weston and Hwy 7 Secondary Plan Area, confirming that the Owner is a member in good standing and has fulfilled the cost obligations of the Weston and Hwy 7 Secondary Plan Area.

- vi. the Owner has provided the required technical studies to support the infrastructure improvements if the proposed population exceeds the population described in the City of Vaughan Integrated Urban Water Plan, Weston and Hwy 7 Functional Servicing Strategy Report.
- vii. the Owner shall pay \$8,000.00 deposit for professional fees and City administration costs (in accordance with the City's Fees and Charges By-law) to complete a third-party peer review of the provided Noise and Vibration Impact Study (NVIS). If, following the City's peer review, it is determined that a Class 4 Area acoustical designation is required for the Subject Lands, the Owner shall pay the surcharge fee in accordance with the City's Fees and Charges By-Law to amend the City's Noise By-Law to recognize the Class 4 Area designation for the Subject Lands. Should the massing and built form of the proposed development be materially revised during the planning process, the Owner shall provide a revised NVIS that reflects the most up-to-date design being considered for the peer review process.
- viii. a resolution is passed by Vaughan Council classifying the site as a Class 4 area;
- ix. the Owner provide a Land Use Compatibility (Air Quality) report for the Subject Lands. Subject to the findings of this report, a Detailed Air Quality Impact Assessment may be required;
- x. the Owner provide a Letter of Reliance in accordance with the City's reliance letter template, listing all Environmental Site Assessment reports prepared for the Subject Lands;
- xi. the Owner shall successfully obtain and satisfy all requirements with the related Site Development Approval DA.24.017
- xii. the Owner shall satisfy all the requirements of York Region;



## Committee of the Whole (1) Report

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**DATE:** Tuesday, October 8, 2024

**WARD:** 4

**TITLE:** RP B3N HOLDINGS INC. – DRAFT PLAN OF CONDOMINIUM  
(STANDARD) FILE 19CDM-24V009: 195 COMMERCE STREET,  
VICINITY OF HIGHWAY 7 AND COMMERCE STREET

**FROM:**

Haiqing Xu, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

---

**Purpose**

To seek approval from Committee of the Whole for Draft Plan of Condominium (Standard) File 19CDM-24V009 (the 'Application') to create the condominium tenure for a 48-storey residential tower (Tower B) consisting of 672 Residential Units, 130 Parking Space Units and 23 Service Units, located in the Vaughan Metropolitan Centre, as shown on Attachment 3.

**Report Highlights**

- The Owner has submitted a Draft Plan of Condominium (Standard) Application to establish a standard condominium tenure for a 48-storey residential tower.
- The Draft Plan of Condominium consists of the areas dedicated to residential units, amenity space, underground parking and locker units, and is consistent with the approved Site Development File DA.18.075.
- The Draft Plan of Condominium conforms to the Vaughan Official Plan 2010 and the Vaughan Metropolitan Centre Secondary Plan, and complies with Zoning By-law 1-88, as amended.
- The VMC Program supports the proposed Draft Plan of Condominium (Standard) File 19CDM-24V009, subject to Conditions of Draft Approval in Attachment 1.

## **Recommendations**

1. THAT Draft Plan of Condominium (Standard) File 19CDM-24V009 (RP B3N Holdings Inc.) BE DRAFT APPROVED, as shown on Attachments 4 to 9 to create a condominium tenure for the Development that is consistent with Site Development File DA.18.075, subject to Conditions of Draft Approval in Attachment 1; and
2. THAT Council's approval of the Draft Plan of Condominium (Standard) File 19CDM-24V009 (RP B3N Holdings Inc.), subject to the Conditions of Draft Approval set out in Attachment 1, be for a period of three years (no less than three years) from the date on which approval was given, and the approval shall lapse at the expiration of that time period.

## **Background**

Location: 195 Commerce Street (the 'Subject Lands') is located south of Highway 7 and east of Commerce Street, and forms part of a larger mixed-use development known as Festival (the "Development Lands"). The Subject Lands and surrounding land uses are shown on Attachment 2.

### ***Official Plan Amendment, Zoning By-law Amendment and Site Development Applications were approved for the greater Development Lands***

On June 28, 2020, Vaughan Council approved Official Plan Amendment File OP.19.006, Zoning By-law Z.19.017 and Site Development File DA.18.075 to permit a mixed-use development consisting of four (4) residential apartment buildings in tower and podium configurations, with approximately 2,470 residential dwelling units, 6,000m<sup>2</sup> of commercial space, a central pedestrian mews and privately owned-publicly accessible open space ("POPS"). Vehicular access is achieved via one (1) right-in, right-out accesses located along Interchange Way (east property line), and two (2) full-move accesses along Celebration Avenue (south property line).

The overall Development is currently under construction.

### ***A Draft Plan of Condominium (Standard) Application has been submitted to create the proposed condominium tenure for Tower B***

The proposed Draft Plan of Condominium File 19CDM-24V009 will create standard condominium tenure for a 48-storey residential tower (Tower B), as shown on Attachments 4 to 9. The Application includes the unitization of residential units, parking spaces, electrical/transformer rooms and the forecourt area access point from Celebration Avenue as outlined below:

- 672 Residential Units
- 130 Parking Space Units
- 23 Service Units

Parking and bicycle spaces for the entire development will be provided on a site-wide basis, rather than an individual condominium corporation basis. These spaces will remain commonly accessible to all residents and visitors for the purposes of shared parking for the entirety of the Development and can be accessed via the ramp located under Tower B and various stairwells located throughout the Subject Lands (as shown on Attachments 8 and 9).

### **Previous Reports/Authority**

Previous reports related to the Application and or Subject Lands can be found at the following links:

[June 9, 2020, Committee of the Whole \(1\) \(Item 1, Report No. 22\)](#)

[November 5, 2019, Committee of the Whole \(Public Meeting\) \(Item 2, Report No. 35\)](#)

### **Analysis and Options**

***The Provincial Planning Statement 2024 ('PPS 2024') is a policy statement issued pursuant to section 3 of the Planning Act and comes into effect on October 20, 2024. Decisions made on or after October 20, 2024 in respect of the exercise of any authority that affects a planning matter shall be consistent with this policy statement.***

At the time of drafting this report, transition provisions to facilitate the introduction of the new PPS 2024 were being considered by the Ministry of Municipal Affairs and Housing, and not yet available. This report therefore includes discussion of, inter alia, the Provincial Policy Statement 2020, the Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and the new PPS 2024.

The application establishes tenure for 672 new residential units which increases housing options in the VMC required to meet the social, health, economic and wellbeing requirements of current and future residents. The application continues to facilitate a compact urban form through promoting a high density of new housing. The application is within a Protected Major Transit Station Area and facilitates planning of a development which efficiently uses the existing land, resources, infrastructure capacity and public service facilities. The Development is proximal to higher-order transit and supports active and sustainable transportation modes through providing future tenants with a range of transportation options. Staff are satisfied that the Application is consistent with the PPS 2024.

***The Application is consistent with the Provincial Policy Statement 2020 ('PPS 2020'), and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (the 'Growth Plan') 2019, as amended***

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the PPS. Council's planning decisions are also required by the *Planning Act* to conform, or not conflict with the Growth Plan.

Consistency with the PPS 2020 and conformity with the Growth Plan for the overall development were confirmed through Council's June 29, 2020, decision to approve Official Plan Amendment File OP.19.006, Zoning By-law Amendment File Z.19.017 and Site Development File DA.18.075. This application implements the tenure for this portion of the phased Festival Community, which delivers a compact urban form through the intensification of underutilized lands in the City's established Settlement Area where full municipal services exist. Staff are satisfied that the Application is consistent with the PPS 2020 and conforms to the Growth Plan.

***The Application conforms to the York Region Official Plan, 2022 ('YROP 2022')***

York Region Council adopted the YROP 2022 in June 2022. YROP 2022 was approved, as modified, by the Minister of Municipal Affairs and Housing in November 2022, bringing it into full force and effect. Bill 150 (*Planning Statue Law Amendment Act, 2023*) and Bill 162 (*Get It Done Act, 2024*) later rescinded some of those modifications.

On June 6, 2024, Bill 185 (*Cutting Red Tape to Build More Homes Act, 2024*) ("Bill 185") received Royal Assent which includes amendments to the *Planning Act*. In accordance with the amendments to the *Planning Act* implemented through Bill 185, York region became a Region without planning responsibilities effective July 1, 2024.

Pursuant to subsection 70.13(2) of the *Planning Act*, YROP 2022 is deemed to constitute an official plan of the City in respect of any area in the City to which it applies and will remain in effect until the City revokes or amends it.

The Subject Lands are located within the "Urban Area" and designated as "Regional Centre" on YROP 2022 Map 1A – Land Use Designations. Regional Centres are intended to contain the highest concentration and the greatest mix of uses in the Region. The Subject Lands are also located within a "Protected Major Transit Station Area" (PMTSA) on YROP 2022 Map 1B – Urban Systems Overlay. PMTSA's are intended to further support and implement the Regional intensification hierarchy consistent with determined minimum density targets.

The Application establishes the tenure for the Development that provides for a range and mix of housing types, sizes, and tenures, and utilizes land efficiently and optimizes infrastructure with a compact and transit-supportive built form. The Application conforms to the YROP.

***The Application conforms to Vaughan Official Plan 2010 ('VOP 2010'), specifically the Vaughan Metropolitan Centre Secondary Plan ('VMCSP')***

The VMCSP designates the Subject Lands as "Station Precinct", which permits mid and high-rise built-form and a broad mix of uses including a concentration of office, retail and residential uses around the subway station. This application establishes the tenure for the residential portion of Tower B within the overall Festival development, which is permitted by the VOP 2010 and the VMCSP. As such, the Application conforms to VOP 2010 and the VMCSP.

***The Application complies with Zoning By-law 1-88 and is consistent with the approved site plan.***

The Subject Lands are zoned C9, Corporate Centre Zone under By-law 1-88, subject to site-specific Exception 9(1500) as amended.

The Development is permitted within the existing zone, is consistent with the approved site plan as shown on Attachment 3, and complies with the requirements of Zoning By-law 1-88, as amended. As a Condition of Approval, the Owner must submit an “as-built” survey to the satisfaction of the Building Standards Department, prior to the registration of the final condominium plan.

Staff have no objection to the Application, subject to the Conditions identified in Attachment 1.

**Financial Impact**

There are no requirements for new funding associated with this report.

**Operational Impact**

***The Development Engineering Department has no objection to the Application.***

The Development Engineering Division of the VMC Program, Policy Planning and Special Programs Department has reviewed the Application and has no objection, subject to conditions identified in Attachment 1.

***Financial Planning and Development Finance have no objection to the Application.***

The Financial Planning and Development Finance Department has no objection to the Application, subject to the conditions of approval identified in Attachment 1.

***The proposed garbage/recycling collection may be eligible for municipal waste collection services or shall be the responsibility of the Condominium Corporation.***

Upon a successfully completed application, site inspection and executed agreement as determined by the City, the Condominium Corporation may be eligible for municipal waste collection services. Should the Condominium Corporation be deemed ineligible by the City or choose not to enter into an agreement with the City for municipal collection service, all waste collection services shall be privately administered and shall be the responsibility of the Condominium Corporation. A condition to this effect is included in Attachment 1.

***The following commenting agencies have advised they have no objections to the approval of the Application.***

York Region, Bell Canada, Canada Post, and Alectra Utilities Corporation have no objections to the Applications, subject to the conditions identified in Attachment 1. Rogers Communications, Enbridge Gas Inc., IMPAC, Hydro One and the School

Boards have no objections to the Applications. The Owner is required to confirm that all required easements and rights-of-way for each utility have been granted to the appropriate authority. A condition to this effect is included in Attachment 1.

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

The York Region Community Planning and Development Services Department has no objection to the Applications, subject to their Conditions of Draft Approval identified in Attachment 1.

### **Conclusion**

The VMC Program of the Policy Planning and Special Programs Department is satisfied the Application is consistent with the PPS, conforms with the Growth Plan, YROP, VOP 2010 and VMCS, and is appropriate for the development of the Subject Lands. The Development is considered appropriate and compatible with existing and planned surrounding land uses. Accordingly, the Planning Policy and Special Programs Department can recommend approval of the Applications, subject to the recommendations in this report and Conditions of Approval in Attachment 1.

**For more information**, please contact Nicholas Trajkovski, Planner, at extension 8501.

### **Attachments**

1. Conditions of Draft Approval.
2. Context and Location Map.
3. Approved Site Plan (File DA.18.075).
4. Draft Plan of Condominium – Entire Site.
5. Draft Plan of Condominium – Ground Floor.
6. Draft Plan of Condominium – Residential Levels 2-48.
7. Draft Plan of Condominium – Parking and Locker Units (P1 Mezzanine Plan).
8. Draft Plan of Condominium – Parking and Locker Units (P1 Plan).
9. Draft Plan of Condominium – Parking and Locker Units (P2 Plan).

### **Prepared by**

Nicholas Trajkovski, Planner, VMC, extension 8530.

Matthew Peverini, Senior Planner - VMC, extension 3636.

Gaston Soucy, Senior Manager, Planning and Urban Design - VMC, extension 8266.

Christina Bruce, Director, Policy Planning and Special Programs, extension 8231.

**ATTACHMENT NO. 1**

**CONDITIONS OF DRAFT APPROVAL**

**DRAFT PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-24V009 (THE 'PLAN')  
RP B3N HOLDINGS INC. (THE 'OWNER')  
195 COMMERCE STREET  
PART OF LOT 5, CONCESSION 5 (THE 'LANDS')  
CITY OF VAUGHAN (THE 'CITY')**

THE CONDITIONS OF THE COUNCIL OF THE CITY THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF CONDOMINIUM FILE 19CDM-24V009 ARE AS FOLLOWS:

The Owner shall satisfy the following Conditions of Approval:

1. The Conditions of Approval of the City of Vaughan as set out on Attachment No. 1a).
2. The Conditions of Approval of York Region as set out on Attachment No. 1b) and dated July 29, 2024.
3. The Conditions of Approval of Bell Canada as set out on Attachment No. 1c) and dated July 5, 2024,
4. The Conditions of Approval of Canada Post as set out on Attachment No. 1d) and dated July 17, 2024,
5. The Conditions of Approval of Alectra Utilities as set out on Attachment No. 1e) and dated July 4, 2024,

## Clearances

1. The City shall advise in writing that Conditions on Attachment No. 1a) have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
2. York Region shall advise in writing that the Conditions on Attachment No. 1b) have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
3. Bell Canada shall advise in writing that the Conditions on Attachment No. 1c) have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
4. Canada Post shall advise in writing that the Conditions on Attachment No. 1d) have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
5. Alectra Utilities shall advise in writing that the Conditions on Attachment No. 1e) have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.



**ATTACHMENT NO. 1a)**

**CITY OF VAUGHAN CONDITIONS:**

**Policy Planning and Special Programs Department (VMC Program):**

1. The final Plan shall relate to a Draft Plan of Condominium (Standard), prepared by R-Avis Surveying Inc., Drawing Nos. 3331-1DP1.PERM, 3331-1DP2, 3331-1DP3, 3331-1DP4 and 3331-1DP5, dated MAY 30, 2024, and relating to City File No. 19CDM-24V009.
2. If the Plan is not registered within 3 years after the date upon which approval of Draft Plan of Condominium File No. 19CDM-24V009 was given, then the draft plan approval shall lapse unless the Owner applies to the City for an extension and approval is granted for said extension prior to the lapsing date
3. Prior to the execution of the Condominium Agreement, the Owner shall submit a pre-registered Plan of Condominium to the Policy and Special Programs Department (VMC Program).
4. The Owner shall enter into a Condominium Agreement with the City and shall agree to satisfy any conditions with respect to such matters as landscaping and site development, and any other matters that the City may consider necessary, and that may be outstanding from related Site Development File DA.18.075.
5. The Condominium Agreement shall be registered on title against the lands to which it applies, at the cost of the Owner.
6. Prior to registration of the Plan, the Owner and their Solicitor and Land Surveyor shall confirm that all required easements and rights-of-way for utilities, drainage and construction purposes have been granted to the appropriate authorities.
7. The following provisions shall be included in the Condominium Agreement:
  - a) The Owner/Condominium Corporation shall be responsible to regularly clean and maintain all driveway catch basins.
  - b) The Owner/Condominium Corporation shall be responsible for private snow clearing and removal.
  - c) Should archaeological resources be found on the Lands during construction activities, the Owner must immediately cease all construction activities and notify the Ontario Ministry of Tourism, Culture and Sport and the Vaughan Development Planning Department, Urban Design and Cultural Heritage Division. If human remains are encountered during construction activities, the Owner must immediately cease all construction activities and shall contact the York Region Police Department, the Regional Coroner and the

Registrar of the Cemeteries at the Bereavement Authority of Ontario (BAO) of the Ministry of Public and Business Service Delivery for the purposes of determining whether any future investigation is warranted and complete any such investigation prior to the resumption of construction activities.

- d) The Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Management Division and the Owner is advised that upon a successfully completed application, site inspection and executed agreement as determined by the Environmental Services Department, Solid Waste Management Division, the future condominium corporation may be eligible for municipal waste collection services. Should the future condominium corporation be deemed ineligible by the City or choose not to enter into an agreement with the City for municipal collection service, all waste collection services shall be privately administered and shall be the responsibility of the future condominium corporation.
8. Prior to final approval and registration of the Plan, the Owner shall provide a certificate from a noise consultant confirming that the noise attenuation measures identified in the approved noise and vibrations study prepared by HGC Engineering on October 21, 2019 (the "Approved Noise and Vibrations Study") have been included in the building plans. The Owner's noise consultant shall certify that the noise attenuation measures identified in the Approved Noise and Vibrations Study have been incorporated into the building, to the satisfaction of Vaughan's VMC Program and Development Engineering Department.
9. The Owner and/or Condominium Corporation shall include the following warning clauses in the Condominium Declaration and all Agreements of Purchase and Sale and confirm same to the City. Where such clauses have not been included in all Agreements of Purchase and Sale, the solicitor for the Declarant shall confirm that all purchasers have been advised of these clauses:
- a) "Future occupants are advised that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceeds the Ministry of the Environment, Conservation, and Parks noise criteria."
  - b) "This dwelling unit has been supplied with an air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the Ministry of the Environment, Conservation, and Parks noise criteria."
  - c) "Purchasers are advised that sounds from the nearby industrial use, including the rail yard to the northeast may be audible at times."

10. Prior to execution of the Condominium Agreement(s), the Owner shall submit to Vaughan satisfactory evidence that the appropriate warning clauses have been included in the offer of purchase and sale, lease/rental agreements and condominium declarations.
11. Prior to final approval of the plan of condominium, the Owner shall enter into a Reciprocal Maintenance and Operating Agreement with the owner of the commercial component located under the condominium (the "REOA"). The REOA shall amongst other things: (i) include the necessary easements for access and support over existing structural members, footings and foundations for the purpose of supporting the buildings and structures; and (ii) set out the repair and maintenance and obligations between the parties to ensure the safe operation of the buildings and structures. The REOA shall be provided to the City upon request. The REOA shall be provided to the City upon request.
12. Prior to execution of the Condominium Agreement the Owner shall provide a public access easement over the pedestrian mews, to be registered on title. The Owner shall indemnify and save harmless the City and its employees from all actions, causes of actions, suits, claims and demands whatsoever which may arise directly or indirectly in respect of the pedestrian mews provided under said agreement.

#### Building Standards Department

13. Prior to registration of the Plan, the Owner shall submit an "as-built" survey to the satisfaction of the Building Standards Department. The Owner shall submit all final plans, including fully dimensioned plans and site-statistics, confirming compliance with all By-law 1-88 requirements, as required, to the satisfaction of the Development Planning Department and the Zoning Division, Building Standards Department. Should any relief from Zoning By-law 1-88 be required, the Owner shall apply for and obtain the necessary approvals to address any zoning deficiencies, and satisfy any conditions of approval, if required.

#### Financial Planning and Development Finance Department

14. Prior to registration of the Plan, the Owner shall confirm that they have paid all outstanding taxes, development charges and levies, as may be required by the Financial Planning and Development Finance Department.

#### Environmental Services Department

15. Prior to the final approval and registration of the Plan of Condominium, the Owner shall ensure that Discharge Approval No. 2023-106400 (the "Discharge Approval") is in full force and effect and that the discharge and related works are operating, in good standing and that the terms and conditions of the Discharge Approval have been complied with, all to Vaughan's satisfaction.

16. Prior to the final approval and registration of the Plan of Condominium, the Owner shall provide confirmation that arrangements, satisfactory to Vaughan, have been made to ensure that the Owner/Condominium Corporation applies to renew the Discharge Approval within thirty (30) days of registration of the last Condominium Corporation for the Project in accordance with the terms of the Discharge Approval. When applying for a complete transfer of the Discharge Approval (i.e. a complete removal of the Owner from the Discharge Approval), the Owner shall provide a report prepared and sealed by a professional geoscientist licensed in the province of Ontario, attesting that all private water discharge complies with the requirements of the Discharge Approval, to the satisfaction of Vaughan.
17. Prior to the final approval and registration of the Plan of Condominium, the Owner agrees that post-development flow rates discharged to Vaughan's storm sewer system from the Lands, including private groundwater discharge, shall not exceed the allowable flow rates discharged to Vaughan's storm sewer system as approved by Vaughan's Development Engineering Department and per the Discharge Approval. The Condominium Corporation may be required to add or modify the discharge and related works to Vaughan's satisfaction, all at their sole cost and expense.



July 29, 2024

Michelle Perrone, Planner  
City of Vaughan  
Development Planning Department  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1

Dear Michelle Perrone:

**Re: Draft Plan of Condominium CDMP.24.V.0026 (19CDM-24V009)  
195 Commerce Street  
(RP B3N Holdings Inc.)  
City of Vaughan**

York Region has now completed its review of the above noted draft plan of standard condominium prepared by R. Avis Surveying Inc., Project No. 3331-1. The site is located on the southeast quadrant of Highway 7 and Commerce Street, on lands municipally known as 195 Commerce Street, in the City of Vaughan. The application will facilitate the development of a 48-storey mixed-use building with 672 apartment units and 130 underground parking spaces, within a 2.06 ha site.

York Region has no objection to draft plan approval of the plan of condominium subject to the following conditions:

1. Prior to final approval, the Owner shall execute a Site Plan Agreement with the Region under Regional file number SP.18.V.0268.
2. Prior to final approval, the Owner shall confirm that all of the works within the Regional right-of-way have been completed to the satisfaction of the Region or that the Region holds sufficient securities to cover the cost of any outstanding works. Should there be insufficient security to cover the cost of the remaining works, the Owner shall arrange for the deposit of additional securities in the amount sufficient to cover the cost of all outstanding works.
3. Prior to final approval, the Owner shall provide confirmation that all Transfers of Obligation have been completed where Regional Agreements require responsibility to change from the Owner to the Condominium Corporation.

4. The Owner shall include the following clause in all Agreements of Purchase and Sale and/or Lease, Condominium Agreement and Condominium Declaration:

*"Despite the inclusion of noise attenuation features within the development area and within the individual building units, noise levels will continue to increase, occasionally interfering with some activities of the building's occupants."*

5. The Condominium Agreement/Declaration shall contain the following clause or one similar in intent:

*"The Condominium shall maintain and repair all landscaping treatments and features situated within the York Region Landscape Area (including, without limitation, all hard and soft landscaping elements and the concrete planters), and to clean and remove all dirt, debris, snow, and ice from all portions of the York Region Landscape Area, as well as to replace all plants that have perished and regularly remove weeds therefrom and re-mulch the planters situated therein."*

6. The Condominium Agreement/Declaration shall define the York Region Landscape Area as follows:

*"York Region Landscape Area" shall mean the area adjacent to Highway 7 between the property boundary and the edge of York Region's existing Highway 7 VIVA Rapidway streetscaping, owned by The Regional Municipality of York, and accessible by the general public for pedestrian use, which include, but are not limited to, Parts 11, 15 (reserve), 18 19 and 20 on 65R-38148 and Parts 7, 8, 14 and 25 on 65R-20291 containing various landscaping treatments and features (including, without limitation, hard and soft landscaping elements and concrete planters with plantings), and shall be insured, maintained, and/or repaired in accordance with the provisions set out in Subsections \*\*\* and \*\*\* of this declaration.*

7. The Condominium Agreement/Declaration shall contain the following clause:

*"The Corporation shall obtain and maintain commercial general liability insurance (for personal injury and property damage) with respect to the York Region Landscape Area in an amount not less than five million dollars (\$5,000,000.00) of coverage per occurrence (hereinafter referred to as the "York Region Landscape Area Insurance"), and which York Region Landscape Area Insurance shall name The Regional Municipality of York (hereinafter referred to as "York Region") as an additional named insured and shall contain cross-liability and severability of interest endorsements, and shall include standard non-owned automobile liability and standard contractual liability coverage, and shall provide for thirty (30) days' advance written notice to York Region in the event of the cancellation, change or amendment to such insurance coverage. The York Region Landscape Area Insurance shall be obtained from an insurance company licensed to transact business in the Province of Ontario and not otherwise excluded by York Region's*

*Insurance and Risk Manager. The Condominium Corporation shall indemnify and save harmless each of the Declarant and York Region from and against all actions, causes of action, suits, claims, and other proceedings that may be brought against or made upon the Declarant and/or York Region, and from and against all loss, liability, judgement, costs, charges, demands, damages, or expenses that the Declarant and/or York Region may sustain or suffer, as a result of the failure of the Condominium Corporation to repair and maintain the York Region Landscape Area in accordance with the provisions of this declaration."*

We request a copy of the notice of decision, draft approved plan, and the conditions of draft approval should the plan be approved.

Should you have any questions regarding the above or the attached conditions please contact Justin Wong, Planner, at extension 71577 or through electronic mail at [Justin.Wong@york.ca](mailto:Justin.Wong@york.ca).

Yours truly,



Duncan MacAskill, M.C.I.P., R.P.P.  
Manager, Development Planning

JW/

YORK-#16278719-v1-CDMP\_24\_V\_0026\_(19CDM-24V009)\_- York\_Region\_Condition\_Letter

**Michelle Perrone**

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**From:** PrimeCities <WSP.PrimeCities@wspdigitalfactory.com>  
**Sent:** Friday, July 05, 2024 5:17 PM  
**To:** Michelle Perrone  
**Subject:** [External] Draft Plan of Condominium (19CDM-V009) Application; 195 Commerce St., Vaughan

**CAUTION!** This is an external email. Verify the sender's email address and carefully examine any links or attachments before clicking. If you believe this may be a phishing email, please use the Phish Alert Button.



**7/5/2024**

**Michelle Perrone**

**Vaughan**

**Vaughan (City)**

**Attention: Michelle Perrone**

**Re: Draft Plan of Condominium (19CDM-V009) Application; 195 Commerce St., Vaughan; Your File No. 19CDM-V009**

**Our File No. DTS: 26219 / Circ: 42811**

Dear Sir/Madam,

We have reviewed the circulation regarding the above noted application. The following paragraphs are to be included as a condition of approval:

**Bell Canada Condition(s) of Approval**

1) The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.

2) The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.

Upon receipt of this comment letter, the Owner is to provide Bell Canada with servicing plans/CUP at their earliest convenience to [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca) to confirm the provision of communication/telecommunication infrastructure needed to service the development.



It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.

If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

**Concluding Remarks:**

To ensure that we are able to continue to actively participate in the planning process and provide detailed provisioning comments, we note that we would be pleased to receive circulations on all applications received by the Municipality and/or recirculations.

If you believe that these comments have been sent to you in error or have questions regarding Bell's protocols for responding to municipal circulations and enquiries, please contact [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca) directly.

We note that WSP operates Bell Canada's development tracking system, which includes the intake and processing of municipal circulations. **However, all responses to circulations and requests for information, such as requests for clearance, will come directly from Bell Canada, and not from WSP.** WSP is not responsible for Bell's responses and for any of the content herein.

Should you have any questions, please contact the undersigned.

Yours Truly,



Juan Corvalan  
Senior Manager - Municipal Liaison  
Email: [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca).

July 17, 2024

City of Vaughan – Planning Department

DELIVERY PLANNING  
200 – 5210 BRADCO BLVD  
MISSISSAUGA, ON L4W 2G7  
416-262-2394  
[CANADAPOST.CA](https://canadapost.ca)

To: **Michelle Perrone**, Planner, VMC

Reference: Files: **19CDM-24V009** Related Files: **DA.18.075**  
195 Commerce Street

Canada Post Corporation appreciates the opportunity to comment on the above noted application and it is requested that the developer be notified of the following:

In order to provide mail service to a high-rise mix use building with 672 residential units with retail unit(s) at ground level, Canada Post requests that the owner/developer comply with the following conditions:

- ⇒ The owner/developer will provide each building/tower with its own centralized mail receiving facility. This lock-box assembly must be **rear-loaded**, adjacent to the main entrance and maintained by the owner/developer in order for Canada Post to provide mail service to the tenants/residents of this project. **For any building where there are more than 100 units, a secure, rear-fed mailroom must be provided.**
- ⇒ The owner/developer agrees to provide Canada Post with access to any locked doors between the street and the lock-boxes via the Canada Post Crown lock and key system. This encompasses, if applicable, the installation of a Canada Post lock in the building's lobby intercom and the purchase of a deadbolt for the mailroom door that is a model which can be retro-fitted with a Canada Post deadbolt cylinder.

As per our National Delivery Policy, **street level residences and/or retail/commercial and/or non-residential use units will also receive mail delivery at centralized locations, not directly to their door.**

For example: If there is a common indoor entrance or connection extra mail compartments can be provided to accommodate these units in the main mailbox panel. If these units are not part of the condo/building then a separate centralized mail receiving facility/box can be set up by the developer at an alternative location.

The specifications can be found in our Delivery Standards Manual, which can be downloaded from this link: [https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual\\_en.pdf](https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual_en.pdf)

**As the project nears completion, it is requested that the Developer contact me directly for Postal Code(s) as existing postal coding will not apply and new postal codes will be issued for this development. I am also requesting the developer/owner contact me during the design stage of the above project, to discuss a suitable mailbox/mailroom location.**

**Canada Post further requests the owner/developer be notified of the following:**

1. There will be no more than one mail delivery point to each unique address assigned by the Municipality.
2. Any existing postal coding may not apply, the owner/developer should contact Canada Post to verify postal codes for the project.
3. The complete guide to Canada Post's Delivery Standards can be found at: [https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual\\_en.pdf](https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual_en.pdf)

Should you require further information, please do not hesitate to contact me at the above telephone number or mailing address.

Regards,

*Lorraine Farquharson*

**Lorraine Farquharson**

Delivery Services Officer | Delivery Planning – GTA

**ATTACHMENT NO. 1e)**



**Date:** July 4<sup>th</sup> 2024

**Attention:** **Michelle Perrone**

**RE:** Request for Comments

**File No.:**

**Related Files:** **19CDM-24V009**

**Applicant:** RP B3N Holdings Inc.

**Location** 195 Commerce Street



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## COMMENTS:

☐

We have reviewed the Proposal and have no comments or objections to its approval.

☒

We have reviewed the proposal and have no objections to its approval, subject to the following comments (attached below).

☐

We are unable to respond within the allotted time for the following reasons (attached) you can expect our comments by \_\_\_\_\_.

☐

We have reviewed the proposal and have the following concerns (attached below)

☐

We have reviewed the proposal and our previous comments to the Town/City, dated \_\_\_\_\_, are still valid.

Alectra Utilities (formerly PowerStream) has received and reviewed the submitted plan proposal. This review, however, does not imply any approval of the project or plan.

The owner, or agent, of this proposed plan is required to contact Alectra and discuss all aspects of the above project. The standard electrical supply to Industrial, Commercial, Institutional and High-Rise Condominium projects is via a pad mounted transformer. The proposed transformer shall meet Alectra's Clearance Standards, the transformer must also be located within 3-4.5m of a parking area, driveway or hard surface for access by service vehicles. The access must be from within the customer's property, not from a local roadway or adjacent properties, and must provide adequate access for a line truck. Primary voltage duct bank standards\* and the transformer base and grounding standards will be provided to the customer once the primary supply point(s) have been established by Alectra, and the customer's main service size has been established by their Consultant. \*(see attachment 4)

All proposed billboards, signs, and other structures associated with the development must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the applicable standards, codes and acts referenced.

The transformer precast base cannot be located over parking structures or over an underground parking garage. Where the transformer is to be situated on a graded slope, a notched-out area must be established for the transformer base to be installed, with adequate space to accommodate the grounding requirements and guard post/bollards if required.

Alectra will require one architectural site plan showing the proposed transformer location, one electrical site plan, and an electrical single-line drawing, both in hard copy (PDF file, P.Eng. approved version) and electronic AutoCAD (latest version). Additionally, a complete building elevation drawing (including subsurface excavations) is required to ensure the project is not in conflict with any existing overhead or underground components of the electrical

distribution system. Alectra also requires a letter from the owner, or the agent, stating that the proposed building-to-existing electrical distribution system clearances have been checked and are in compliance with the current requirements of the applicable standards, acts and codes referenced below.

In the event that the building commences construction, and the clearance between any component of the building structure and the adjacent existing overhead and underground electrical distribution system violates the Occupational Health and Safety Act, the customer will be responsible for 100% of the costs associated with Alectra making the work area safe. All construction work will be required to stop until the safe limits of approach can be established.

In the event the building is completed, and the clearance between the building and the adjacent existing overhead and underground electrical distribution system violates the any of applicable standards, acts or codes referenced, the customer will be responsible for 100% of Alectra's cost for any relocation work.

Once Alectra has received all proposed details and are satisfied with the design, Alectra will provide the customer with an *Offer to Connect* which will specify all the details and the responsibilities of each party. Once the Offer is signed and full payment received by Alectra, Alectra will start the final design and state and/or obtain the required approvals from the Local Municipality.

When the Customer is ready to submit a request for a new service, please proceed to Alectra Utilities web site and under "New Customer Set Up" select "Building a New Home or Commercial or Industrial Facility" the link has been provided below.

<https://alectrautilities.com/make-service-request>

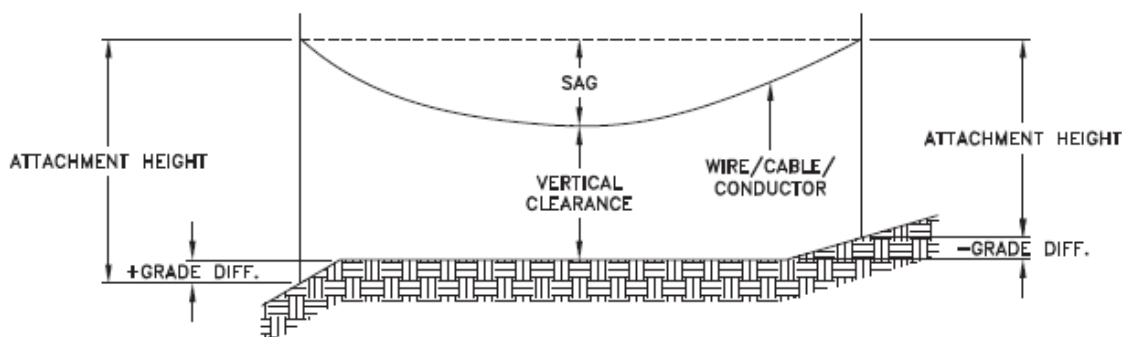
#### **References:**

- Ontario Electrical Safety Code, latest edition (Clearance of Conductors from Buildings), attached
- Ontario Health and Safety Act, latest edition (Construction Protection)
- Ontario Building Code, latest edition (Clearance to Buildings)
- PowerStream (Construction Standard 03-1, 03-4), attached
- Canadian Standards Association, latest edition (Basic Clearances)

Regards,

Namrata Joshi, P.Eng.  
Supervisor, Distribution Design - ICI & Layouts (East)  
**Phone:** 9057983346  
**E-mail:** [Namrata.Joshi@alectrautilities.com](mailto:Namrata.Joshi@alectrautilities.com)

LOCATION OF WIRES, CABLES OR CONDUCTORS	SYSTEM VOLTAGE			
	SPAN GUYS AND COMMUNICATIONS WIRES	UP TO 600V AND NEUTRAL	4.16/2.4kV TO 27.6/16kV (SEE NOTE 1)	44kV
	MINIMUM VERTICAL CLEARANCES (SEE NOTE 2)			
OVER OR ALONGSIDE ROADS, DRIVEWAYS OR LANDS ACCESSIBLE TO <u>VEHICLES</u>	442cm	442cm	480cm	520cm
OVER GROUND ACCESSIBLE TO <u>PEDESTRIANS</u> AND <u>BICYCLES</u> ONLY	250cm	310cm	340cm	370cm
ABOVE TOP OF RAIL AT <u>RAILWAY CROSSINGS</u>	730cm	730cm	760cm	810cm



MINIMUM ATTACHMENT HEIGHT = MAXIMUM SAG  
 + MINIMUM VERTICAL CLEARANCE (FROM ABOVE TABLE)  
 + GRADE DIFFERENCE  
 + 0.3m (VEHICLE OR RAILWAY LOCATION)  
 + SNOW DEPTH (PEDESTRIAN LOCATION, SEE NOTE 3)

## NOTES:

1. THE MULTIGROUNDED SYSTEM NEUTRAL HAS THE SAME CLEARANCE AS THE 600V SYSTEM.
2. THE VERTICAL CLEARANCES IN THE ABOVE TABLE ARE UNDER MAXIMUM SAG CONDITIONS.
3. REFER TO CSA STANDARD C22.3 No.1, ANNEX D FOR LOCAL SNOW DEPTH VALUES.
4. ALL CLEARANCES ARE IN ACCORDANCE TO CSA STANDARD C22.3.

CONVERSION TABLE	
METRIC	IMPERIAL (APPROX)
810cm	27'-0"
760cm	25'-4"
730cm	24'-4"
520cm	17'-4"
480cm	16'-0"
442cm	15'-5"
370cm	12'-4"
340cm	11'-4"
310cm	10'-4"
250cm	8'-4"

## REFERENCES

SAGS AND TENSIONS | SECTION 02

## MINIMUM VERTICAL CLEARANCES OF WIRES, CABLES AND CONDUCTORS ABOVE GROUND OR RAILS

ORIGINAL ISSUE DATE: 2010-DEC-24 REVISION NO: R1 REVISION DATE: 2012-JAN-09

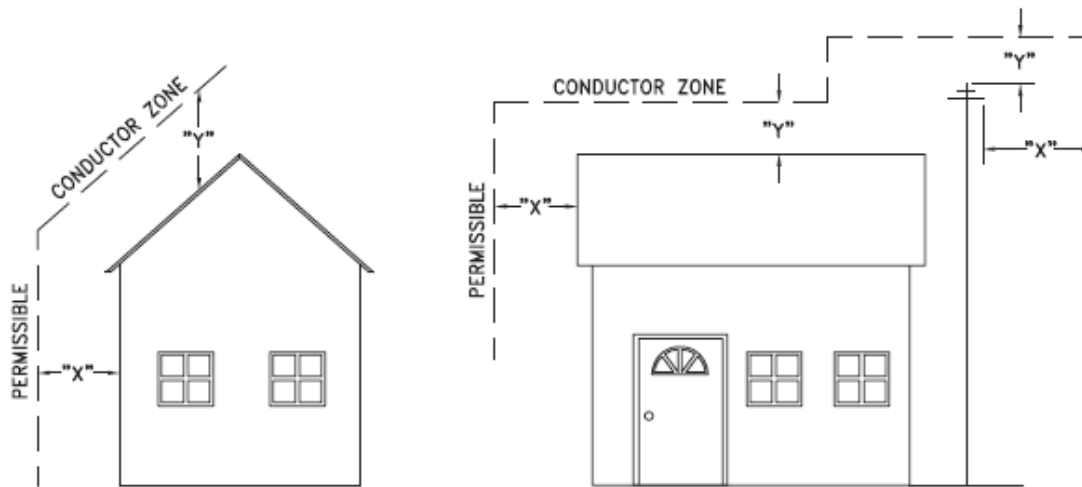
### Certificate of Approval

This construction Standard meets the safety requirements of Section 4 of Regulation 22/04

Joe Crozier, P.Eng. 2012-JAN-09

Name Date

P.Eng. Approval By: Joe Crozier



VOLTAGE	MINIMUM HORIZONTAL CLEARNACE UNDER MAXIMUM SWING CONDITIONS DIMENSION "X" (SEE NOTES 1, 3 & 4)	MINIMUM VERTICAL CLEARANCE UNDER MAXIMUM DESIGN SAG CONDITIONS DIMENSION "Y" (SEE NOTES 1, 2, 4 & 5)
0-600V AND NEUTRAL	100cm	250cm
4.16/2.4 TO 44kV	300cm	480cm

### NOTES

- UNDER NO CIRCUMSTANCES SHALL A CONDUCTOR BE PERMITTED TO PENETRATE THE ENVELOPE SHOWN BY THE DOTTED LINE.
- THE VERTICAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM DESIGN SAG.
- THE HORIZONTAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM SWING. WHERE THE CONDUCTOR SWING IS NOT KNOWN A HORIZONTAL CLEARANCE OF 480CM SHALL BE USED.
- BUILDINGS THAT EXCEED 3 STOREYS OR 15M IN HEIGHT, THE MINIMUM HORIZONTAL CLEARANCE OF THE SECONDARY CONDUCTORS SHOULD BE INCREASED TO 300cm WHERE IT IS NECESSARY TO ALLOW FOR THE RAISING OF LADDERS BY LOCAL FIRE DEPARTMENTS.
- IN SITUATIONS SUCH AS MULTI-LEVEL GARAGES, WHERE ROOFS ARE NORMALLY USED BY PERSONS AND VEHICLES, THE VERTICAL CLEARANCES OF POWERSTREAM STANDARD 03-1 SHALL APPLY.
- DISTRIBUTION LINES CONSTRUCTED NEAR BUILDINGS SHALL BE BUILT TO AVOID OVERHANG WHEREVER POSSIBLE. WHERE LINES MUST BE CONSTRUCTED OVER OR ADJACENT TO BUILDINGS THE APPLICABLE HORIZONTAL AND VERTICAL CLEARANCES SHALL BE AT CONDITIONS OF MAXIMUM CONDUCTOR SWING AND MAXIMUM SAG. THE ABOVE CLEARANCES ARE DESIGNED TO PREVENT PERSONS ON OR IN BUILDINGS AS WELL AS EXTERNAL MACHINERY USED IN CONJUNCTION WITH A BUILDING TO COME IN CONTACT WITH CONDUCTORS. EFFORTS SHOULD BE MADE TO INCREASE THESE CLEARANCES WHERE POSSIBLE.
- ALL CLEARANCES ARE IN ACCORDANCE TO CSA C22.3 NO.1-06 (TABLE-9).

CONVERSION TABLE	
METRIC	IMPERIAL (APPROX)
480cm	16'-0"
300cm	10'-0"
250cm	8'-4"
100cm	3'-4"

## MINIMUM VERTICAL & HORIZONTAL CLEARANCES OF CONDUCTORS FROM BUILDINGS OR OTHER PERMANENT STRUCTURES (CONDUCTORS NOT ATTACHED TO BUILDINGS)

Certificate of Approval	
This construction Standard meets the safety requirements of Section 4 of Regulation 22/04	
Debbie Dadwani, P.Eng.	2010-MAY-05
Name	Date
P.Eng. Approval By: <u>D. Dadwani</u>	

ORIGINAL ISSUE DATE: 2010-MAY-05 REVISION NO: REVISION DATE:  
P:\System Planning and Standards\Standard Design\PowerStream Standards\PowerStream Standards working folder\Section 23-4\WG 03-4 R0 May 5, 2010.dwg, 5/5/2010 9:27:03 AM, Adobe PDF



**75-706 Primary and secondary lines clearances**

- (1) The poles that support the phase conductor of a primary line shall be so located and of such height as to afford a clearance of 7 m measured vertically between the conductors under maximum sag conditions and the ground.
- (2) Notwithstanding Subrule (1) for high voltage line installations where plans are submitted for examination to the inspection department, the clearances listed in Table 34 are acceptable.
- (3) The primary line neutral shall be considered a secondary conductor and shall have the same minimum vertical clearance as specified in Subrule (4).
- (4) Conductors of a secondary line shall have a minimum 6.1 m measured vertically between the conductors under maximum sag conditions and the ground.
- (5) Notwithstanding Subrule (1) for high and low voltage line installations on public right of ways, for the purpose of roadway lighting systems or traffic control systems, CSA C22.3 No. 1, Overhead systems, or the Ontario Provincial Standards shall be permitted.

**75-708 Clearances of conductors from buildings**

- (1) An overhead primary line conductor shall be kept at least 3 m at maximum conductor swing measured horizontally from a building.
- (2) Primary line conductors shall not be installed over buildings unless the installation is lawful under Rule 2-030, and work shall not begin until the plans and specifications for the work are approved in accordance with Rule 2-010.
- (3) No building, mobile home or structure shall be placed or constructed within at least 3 m at maximum conductor swing measured horizontally from the nearest conductor of an overhead primary line.
- (4) Where the conductor swing is not known, a distance of 1.8 m shall be used.
- (5) An overhead secondary line conductor shall be kept at least 1 m measured horizontally from any building except where necessary to connect to the electrical wiring of a building.

**75-710 Clearances for other structures**

- (1) Notwithstanding Rule 36-110, conductors of a primary line shall
  - (a) not be located closer than 12 m measured horizontally from silos to the closest conductors, with the conductor at rest;
  - (b) not be located over wells from which pump rods may be lifted and come in contact with the conductors;
  - (c) have sufficient clearance from free-standing poles that support flood or area lighting, flagpoles, antennae, or other similar structures so as to permit the structure to fall in an arc, without touching the conductors at rest;
  - (d) not be located within 6 m, measured horizontally from wind-mills or similar structures to the closest conductor, with the conductor at rest; and
  - (e) have a minimum vertical clearance of 3.1 m above fencing at maximum sag.
- (2) Conductors of a secondary line shall not be installed closer than 1 m measured horizontally from structures.
- (3) The poles and equipment associated with a primary or secondary line shall be located and suitably protected so as to avoid the possibility of damage from contact with vehicles.

**75-712 Tree trimming**

- (1) The owner of a private line shall provide clearance to the line from trees and other forms of woody growth in compliance with a code or standard under a rule or by-law of the supply authority concerning tree trimming.
- (2) Where there is no applicable code or standard under a rule or by-law of the supply authority concerning tree trimming, all trees and woody growth adjacent to a line shall be trimmed so that minimum clearance to the nearest conductor horizontally at maximum conductor swing and vertically at a maximum sag shall be
  - (a) 1 m for secondary lines; and
  - (b) 4 m for primary lines.

**Grounding and bonding**

**75-800 Grounding of equipment mounted on steel poles**

- (1) A steel pole shall be permitted to be used as the grounding electrode for equipment mounted on the pole where the steel pole is directly embedded in soil and the portion of the pole in contact with the soil is not coated with any non-metallic coating or covering and such an installation is in accordance with the manufacturer's recommendations.
- (2) Where a pole is used as the ground electrode for the transformer, the transformer shall be bonded to the pole and the neutral in accordance with Specification 44 or 45.



## Urban Design Issues

October, 2013

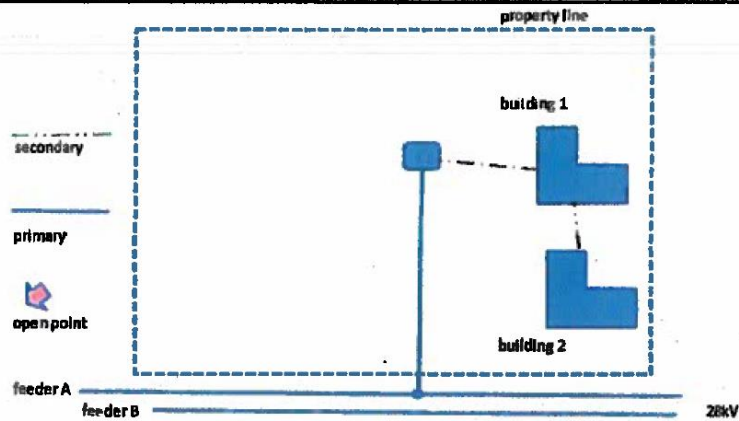


FIGURE 2: 2 BUILDING CONNECTION less than 1,000kVA

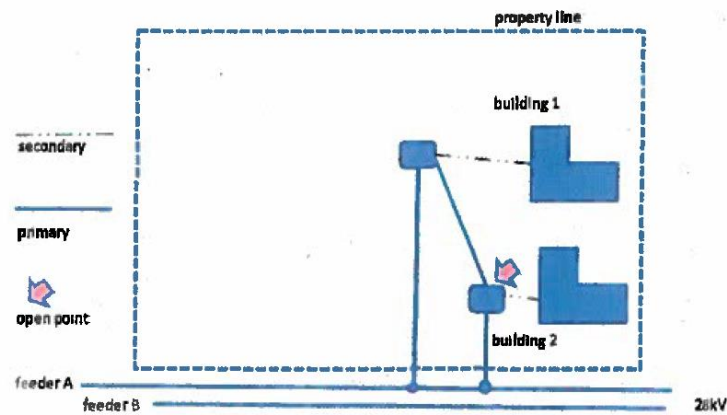


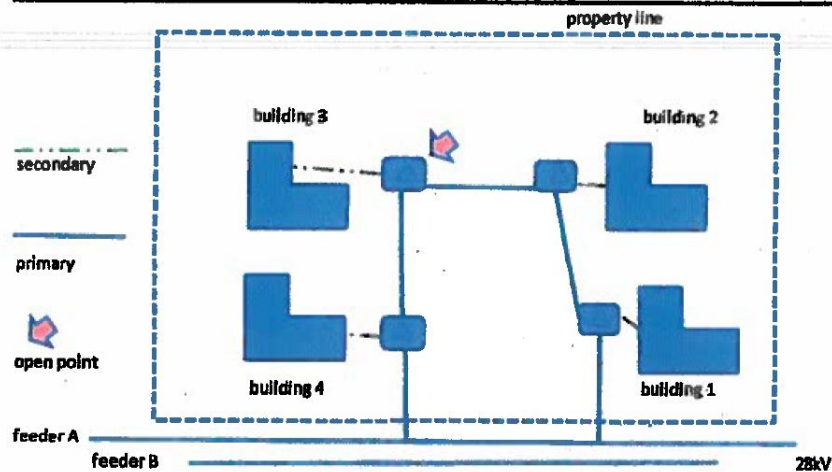
FIGURE 3: 2 BUILDING CONNECTION greater than 1,000kVA

Final Version, October 1, 2013

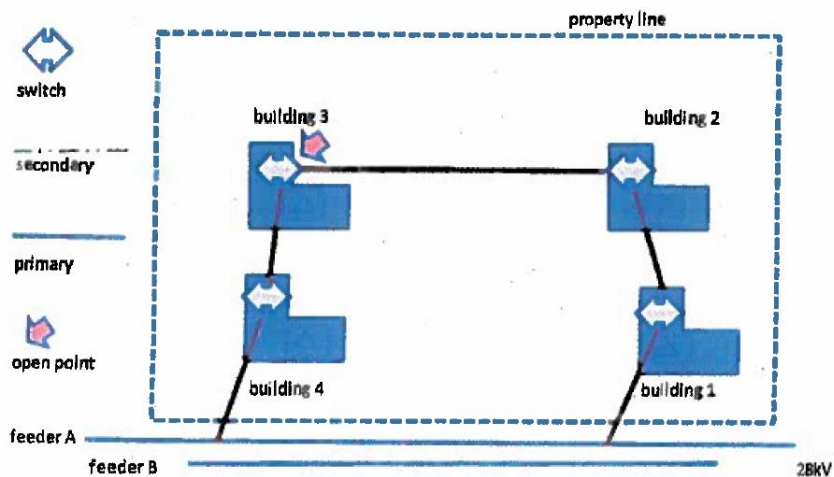


# Urban Design Issues

October, 2013



**FIGURE 4: MULTI BUILDING CONNECTION greater than 1,000kVA**



**FIGURE 5: DRY TYPE TRANSFORMERS greater than 1,000kVA**

Final Version, October 1, 2013

Power  
Stream

**alectra**  
utilities  
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#### (4) Underground consumer's service raceway entry into a building

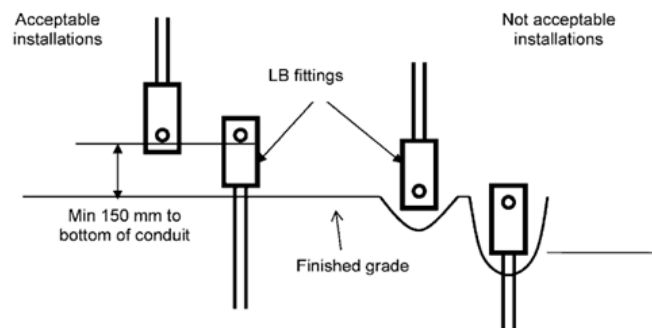
Subrule 6-300(3) requires that an underground consumer's service raceway enter a building above ground where practicable. If it is not practicable, then the raceway must be suitably drained or installed in such a way that moisture and gas will not enter the building.

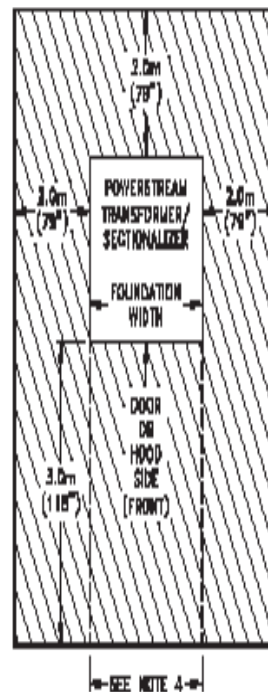
The intent of the Subrule is to prevent water leaking into either the building or the electrical service equipment and causing damage.

Questions have arisen as to how we determine "above ground" or "above grade".

Above ground or grade will be interpreted as any part of the building that is more than 150 mm above the finished grade. (See Figure B1)

**Figure B1 – Interpretation of "above ground"**





**NOTES:**

1. FINAL GRADE WITHIN THE RESTRICTED OPERATIONAL CLEARANCE ZONE (SHOWN AS "HATCHED ZONES" ABOVE) MUST NOT BE ALTERED.
2. HATCHED ZONES AROUND THE APPARATUS AND IN FRONT OF ACCESS DOORS/HOODS TO REMAIN CLEAR OF ALL SHRUBS AND TREES. WHEN THE APPARATUS IS POSITIONED WITHIN THE HATCHED ZONE, THE ZONE WITHIN OR ABOVE MUST REMAIN CLEAR OF, INCLUDING BUT NOT LIMITED TO, BUILDINGS, STRUCTURES, FENCES OR OBSTRUCTIONS INCLUDING ANY LANDSCAPING FEATURES.
3. PREFERRED SURFACE COATING WITHIN THE HATCHED ZONES IS LAWN (SEEDED OR SOO) AND WITH PRIOR WRITTEN CONSENT OF POWERSTREAM GRAVEL AND/OR PAVED WITH ASPHALT OR PAVERS OR A CONCRETE FINISH MAY BE PERMITTED.
4. ACCESS TO ALL EQUIPMENT DOORS/HOODS MUST REMAIN PERMANENTLY CLEAR OF ALL OBSTRUCTIONS.

**REFERENCES**

UNDERGROUND	SECTION 17
-------------	------------

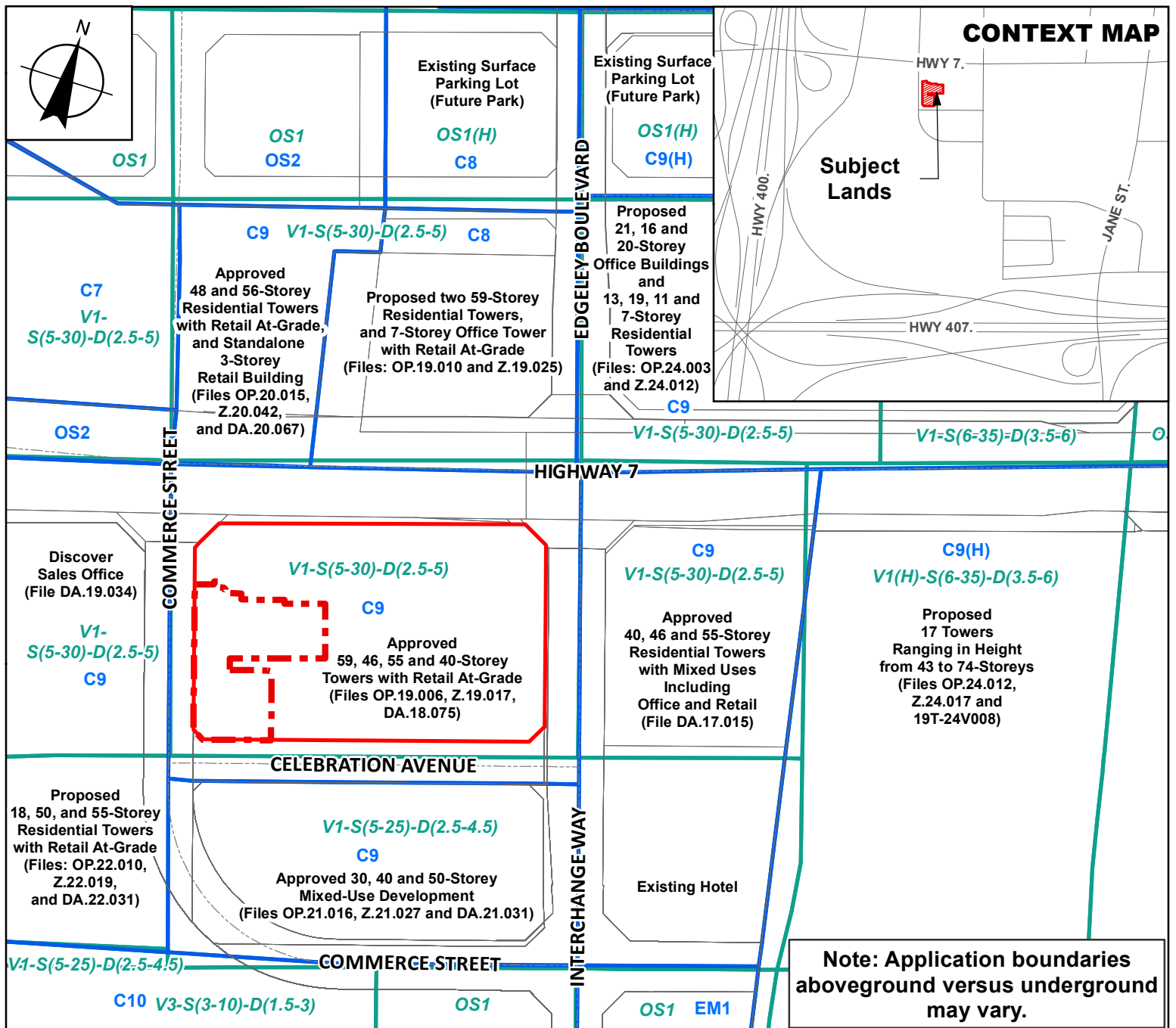
**Certificates of Approval**

This certificate is hereby given that the following equipment is in compliance with the requirements of Section 4 of Regulation 2504

By Order of the Board of Health and Safety

Date

By Order of the Board of Health and Safety



Subject Application Lands

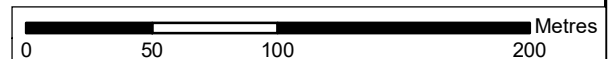
Development Lands

#### Zoning Legend 1-88

- C10, Corporate District Zone
- C7, Service Commercial
- C8, Office Commercial
- C9(H), Corporate Centre Zone with the Holding Symbol
- C9, Corporate Centre Zone
- EM1, Prestige Employment Area
- OS2, Open Space Park

#### Zoning Legend 001-2021

- OS1(H), Open Space Zone
- OS1, Open Space Zone
- V1(H), Vaughan Metropolitan Centre Station Zone
- V1, Vaughan Metropolitan Centre Station Zone
- V3, Vaughan Metropolitan Centre Neighbourhood Zone



## Context and Location Map

### LOCATION:

195 Commerce Street  
Part of Lot 5, Concession 5

### APPLICANT:

RP B3N Holdings Inc.



## Attachment

### FILE:

19CDM-24V009

### RELATED FILES:

OP.19.006, Z.19.017, DA.18.075

### DATE:

October 8, 2024

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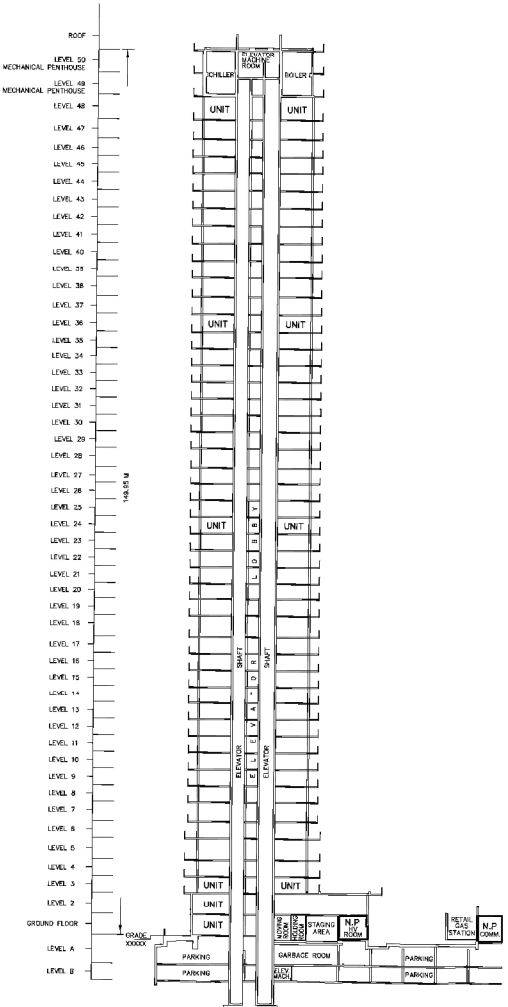






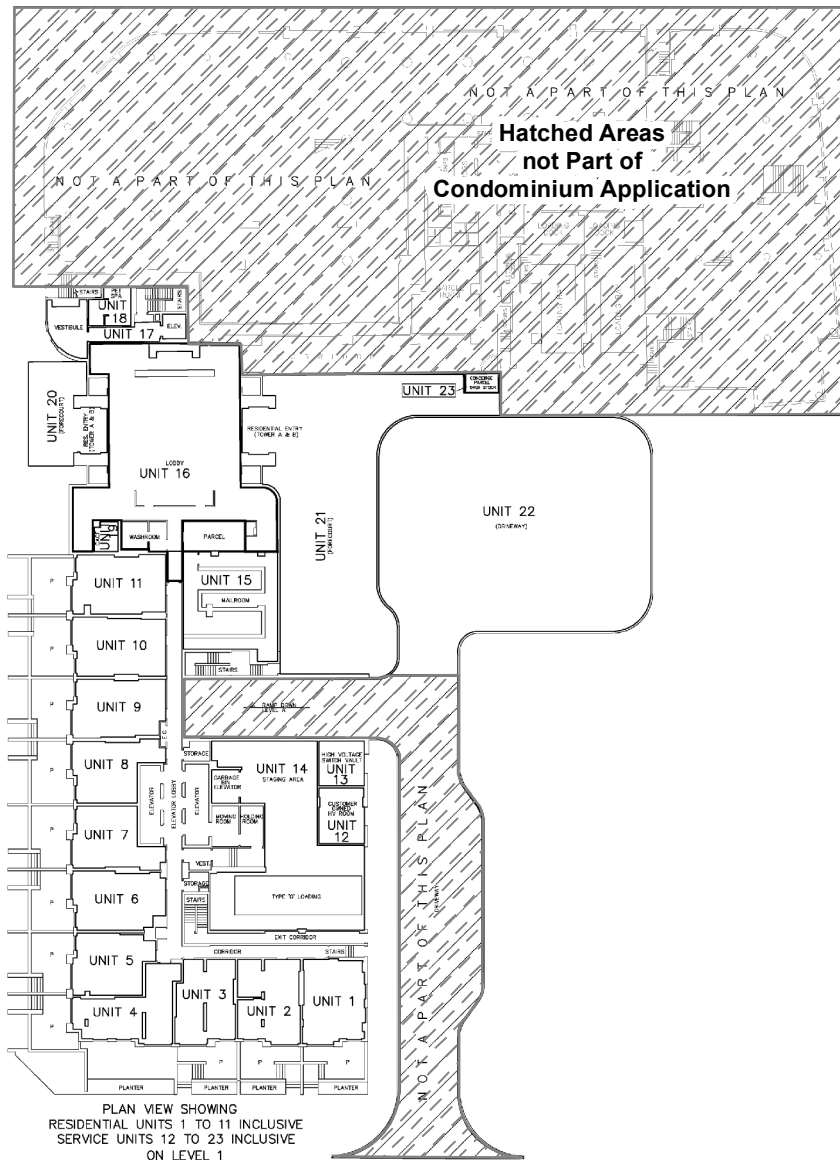






4



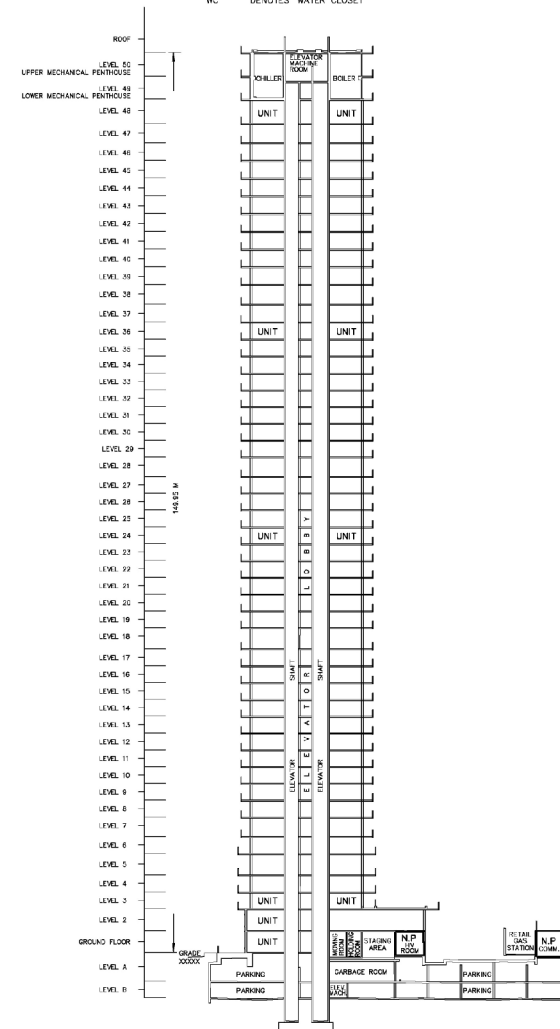


NOT TO SCALE

Note: Application boundaries aboveground versus underground may vary.

#### NOTES AND LEGEND

N.P. DENOTES BOUNDARIES OF THE UNITS AND THE COMMON ELEMENTS  
 F.H.C. DENOTES FIREHOSE CABINET  
 E.C. DENOTES ELECTRICAL CLOSET  
 G.C. DENOTES GARBAGE CHUTE  
 B. DENOTES BALCONY  
 T. DENOTES TERRACE  
 W.C. DENOTES WATER CLOSET



## Draft Plan of Condominium - Ground Floor

**LOCATION:**  
 195 Commerce Street  
 Part of Lot 5, Concession 5

**APPLICANT:**  
 RP B3N Holdings Inc.



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## Attachment

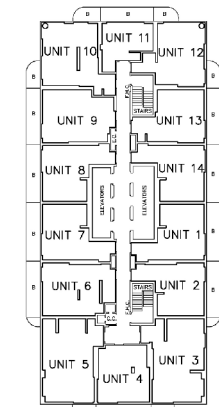
**FILE:**  
 19CDM-24V009

**RELATED FILES:**  
 OP.19.006, Z.19.017, DA.18.075

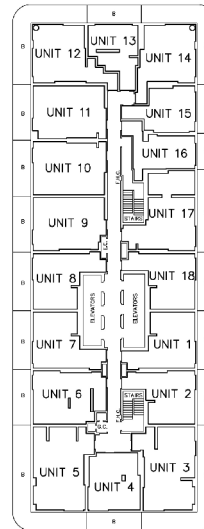
**DATE:**  
 October 8, 2024

5

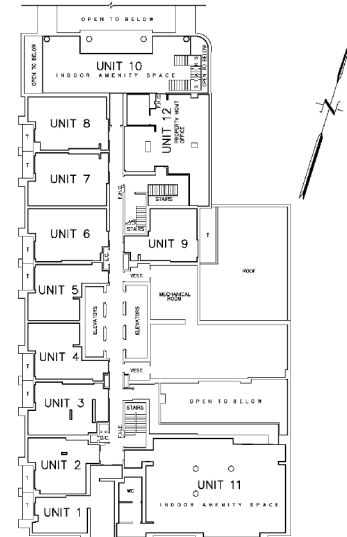




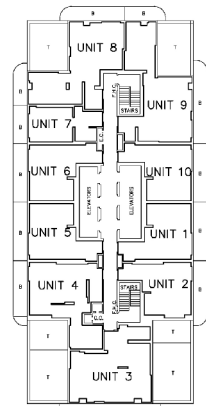
PLAN VIEW SHOWING  
RESIDENTIAL UNITS 1 TO 14 INCLUSIVE  
ON LEVELS 7 TO 47 INCLUSIVE



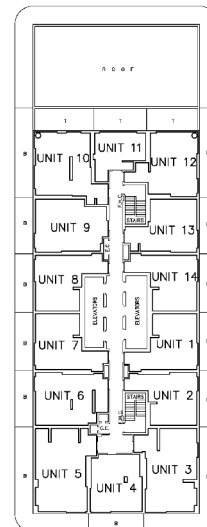
PLAN VIEW SHOWING  
RESIDENTIAL UNITS 1 TO 18 INCLUSIVE  
ON LEVELS 4 AND 5



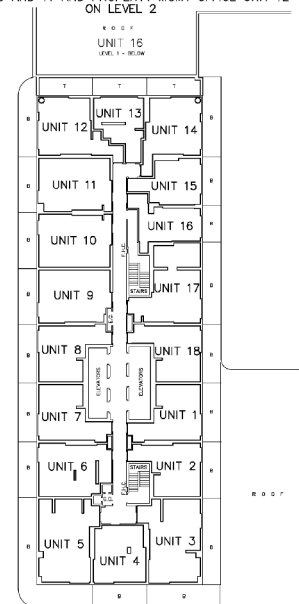
PLAN VIEW SHOWING  
RESIDENTIAL UNITS 1 TO 9 INCLUSIVE, INDOOR AMENITY  
UNITS 10 AND 11 AND PROPERTY MGMT OFFICE UNIT 12  
ON LEVEL 2



PLAN VIEW SHOWING  
RESIDENTIAL UNITS 1 TO 10 INCLUSIVE  
ON LEVEL 48



PLAN VIEW SHOWING  
RESIDENTIAL UNITS 1 TO 14 INCLUSIVE  
ON LEVEL 6



PLAN VIEW SHOWING  
RESIDENTIAL UNITS 1 TO 18 INCLUSIVE  
ON LEVEL 3

**Note: Application boundaries  
aboveground versus underground  
may vary.**

**NOT TO SCALE**

## Draft Plan of Condominium - Residential Levels 2-48

**LOCATION:**  
195 Commerce Street  
Part of Lot 5, Concession 5

**APPLICANT:**  
RP B3N Holdings Inc.



217

## Attachment

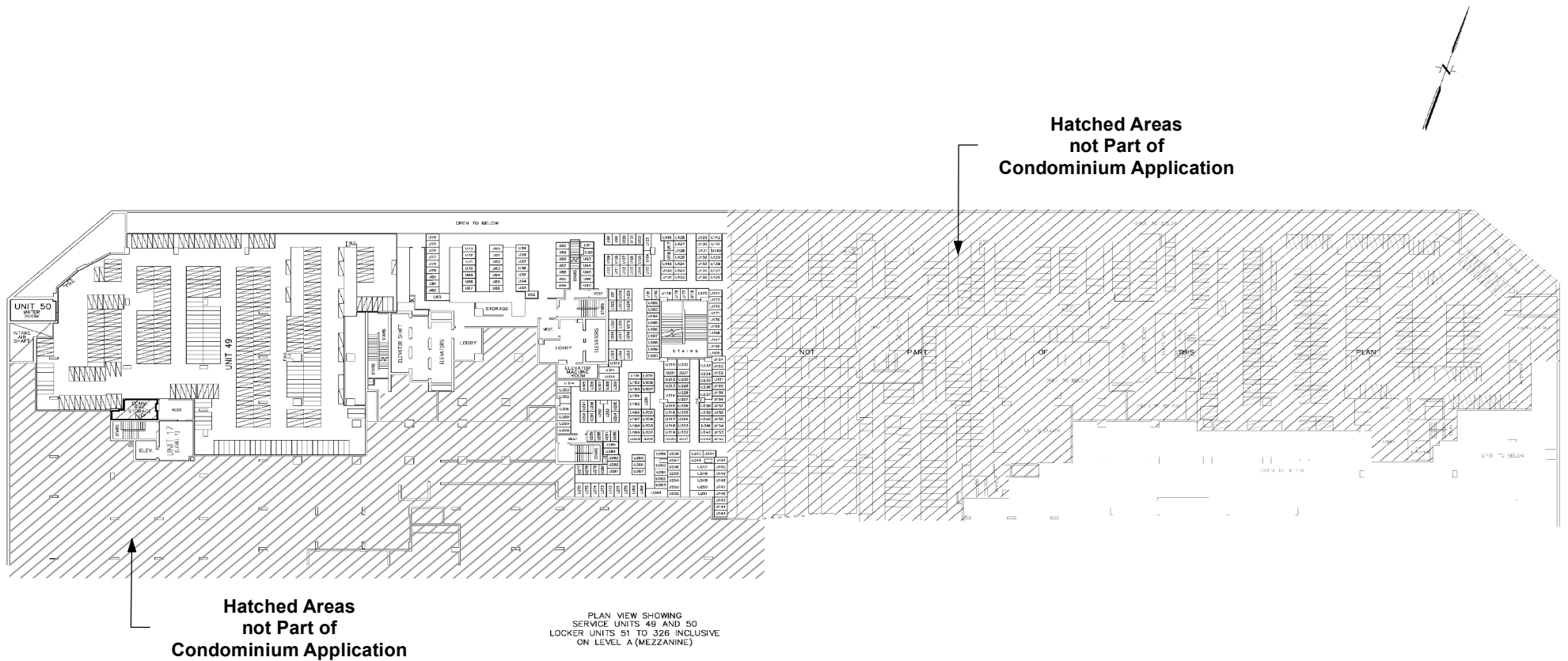
**FILE:**  
19CDM-24V009

**RELATED FILES:**  
OP.19.006, Z.19.017, DA.18.075

**DATE:**  
October 8, 2024

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NOT TO SCALE

Note: Application boundaries aboveground versus underground may vary.

## Draft Plan of Condominium - Parking and Locker Units (P1 Mezzanine Plan)

**LOCATION:**  
195 Commerce Street  
Part of Lot 5, Concession 5

**APPLICANT:**  
RP B3N Holdings Inc.



219

Attachment

FILE:  
19CDM-24V009

RELATED FILES:  
OP.19.006, Z.19.017, DA.18.075

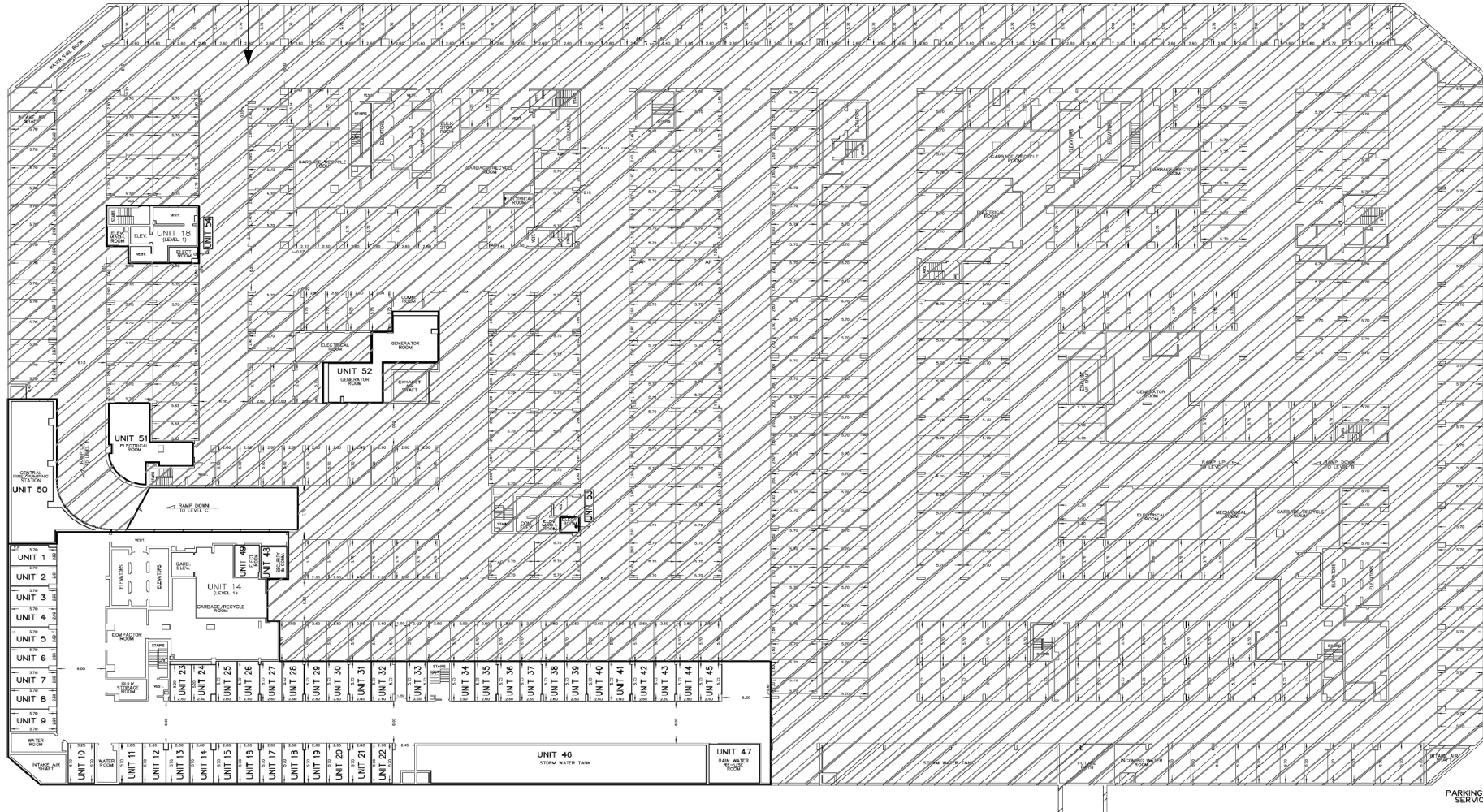
DATE:  
October 8, 2024

7





Hatched Areas  
not Part of  
Condominium Application



PLAN VIEW SHOWING  
PARKING UNITS 1 TO 45 INCLUSIVE AND  
SERVICE UNITS 46 TO 54 INCLUSIVE  
ON LEVEL A

NOT TO SCALE

Note: Application boundaries aboveground versus underground may vary.

## Draft Plan of Condominium - Parking and Locker Units (P1 Plan)

**LOCATION:**  
195 Commerce Street  
Part of Lot 5, Concession 5

**APPLICANT:**  
RP B3N Holdings Inc.



221

Attachment

FILE:  
19CDM-24V009

RELATED FILES:  
OP.19.006, Z.19.017, DA.18.075

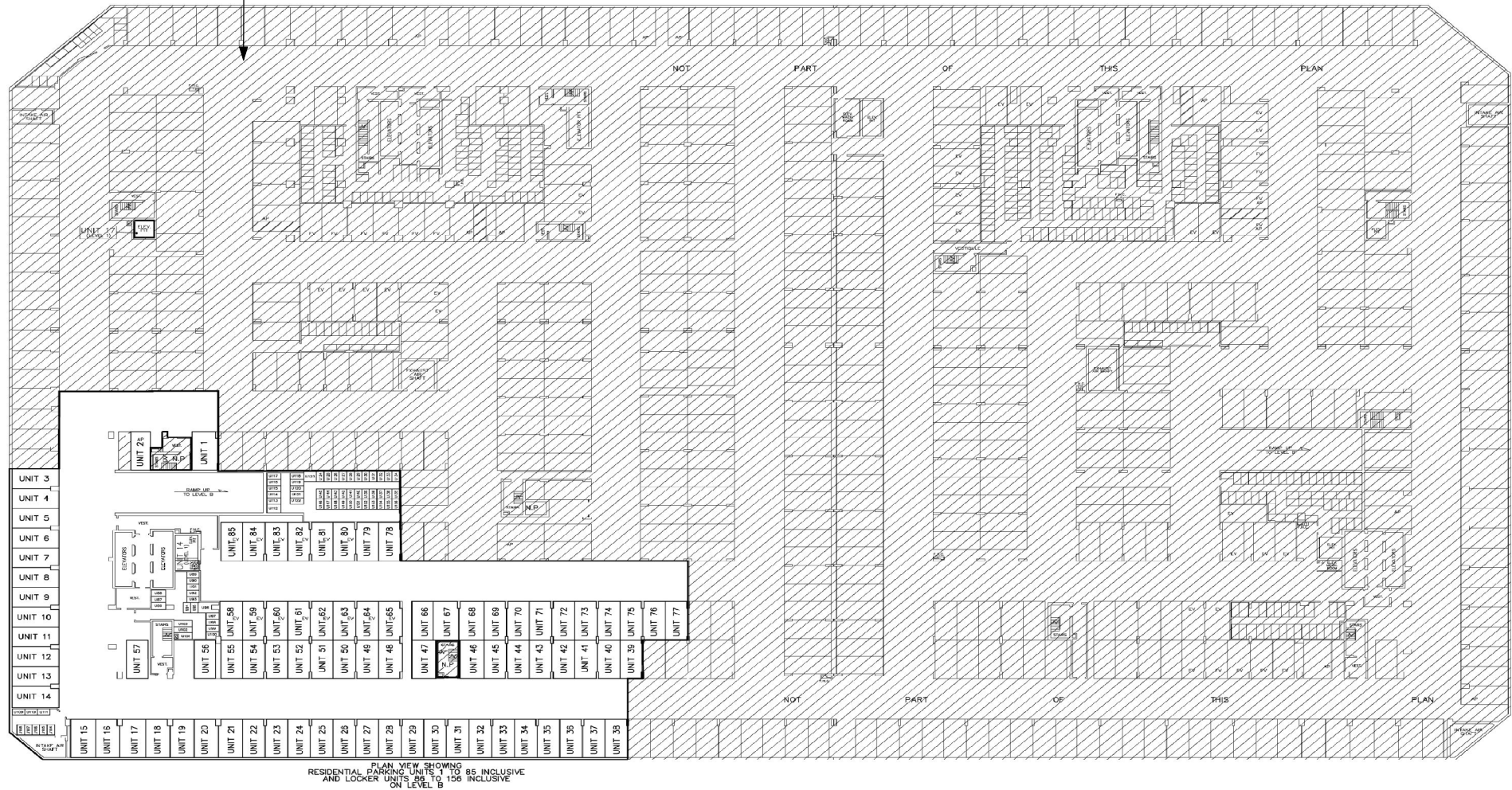
DATE:  
October 8, 2024

8





Hatched Areas  
not Part of  
Condominium Application



NOT TO SCALE

Note: Application boundaries aboveground versus underground may vary.

## Draft Plan of Condominium - Parking and Locker Units (P2 Plan)

**LOCATION:**  
195 Commerce Street  
Part of Lot 5, Concession 5

**APPLICANT:**  
RP B3N Holdings Inc.



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Attachment

FILE:  
19CDM-24V009

RELATED FILES:  
OP.19.006, Z.19.017, DA.18.075

DATE:  
October 8, 2024

9



## Committee of the Whole (1) Report

---

**DATE:** Tuesday, October 8, 2024

**WARD:** 4

**TITLE:** 2465900 ONTARIO LIMITED – DRAFT PLAN OF CONDOMINIUM  
(STANDARD) FILE 19CDM-23V007: 582 RIVERMEDE ROAD,  
VICINITY OF KEELE STREET AND RIVERMEDE ROAD

**FROM:**

Haiqing Xu, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

---

**Purpose**

To seek Council approval of a Draft Plan of Condominium (Standard) File 19CDM-23V007 for the subject lands as shown on Attachment 1. The owner is proposing to establish a standard condominium tenure for an existing multi-unit employment building consisting of 16 employment units, 5 units for exclusive use by a condominium unit owner for outside storage, 57 parking spaces (calculated at the rate for an Industrial mall use), a driveway (fire route) and a landscaped area.

**Report Highlights**

- The Owner has submitted a Draft Plan of Condominium (Standard) Application to establish a standard condominium tenure for an existing multi-unit employment building, subject to the Conditions of Draft Plan of Condominium Approval.
- The Draft Plan of Condominium (Standard) consists of 16 employment units, 5 units for the exclusive use by a condominium unit owner for outside storage, 57 parking spaces (calculated at the rate for an Industrial mall use), a driveway (Fire Route) and a landscape strip.
- The Draft Plan of Condominium conforms to Vaughan Official Plan 2010 and complies with Zoning By-law 001-2021.
- The Development Planning Department supports the proposed Draft Plan of Condominium File 19CDM-23V007, subject to conditions.

## **Recommendations**

1. THAT Draft Plan of Condominium (Standard) File 19CDM-23V007 (2465900 Ontario Limited) BE APPROVED, to establish condominium tenure for the existing multi-unit employment building as shown on Attachment 3, subject to the Conditions of Draft Plan of Condominium Approval in Attachment 4; and
2. THAT Council's approval of the Draft Plan of Condominium (Standard) File 19CDM-23V007 subject to the conditions set out in Attachment 4, be for a period of three years (no less than three years) from the date on which approval was given, and the approval shall lapse at the expiration of that time period.

## **Background**

**Location:** 582 Rivermede Road (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 1.

The existing building contains 16 employment units with an exterior loading area, and an existing outdoor storage area at the rear of the building which provides storage for equipment, a fire route, parking areas and a landscape strip as shown on Attachment 2. No changes to the building or site are proposed. A building permit was issued for this property in 1970. The Subject Lands are not subject to Site Plan Control.

### ***A Draft Plan of Condominium (Standard) Application has been submitted to permit the proposed condominium***

2465900 Ontario Limited (the 'Owner') has submitted a Draft Plan of Condominium File 19CDM-23V007 (the 'Application') for the Subject Lands to establish the standard condominium tenure for the existing multi-unit employment building and property as shown on Attachment 3.

## **Previous Reports/Authority**

Not applicable

## **Analysis and Options**

***The Development is consistent with the Provincial Planning Statement 2024 and the Provincial Policy Statement 2020 and conforms to the Growth Plan, York Region Official Plan and Vaughan Official Plan***

The Provincial Planning Statement 2024 ('PPS 2024') is a policy statement issued pursuant to section 3 of the *Planning Act* and comes into effect on October 20, 2024. All decisions made on or after October 20, 2024 in respect of the exercise of any authority that affects a planning matter shall be consistent with this policy statement.

At the time of drafting this report, transition provisions to facilitate the introduction of the new PPS 2024 were being considered by the Ministry of Municipal Affairs and Housing, and not yet available. This report therefore includes discussion of, *inter alia*, the

Provincial Policy Statement 2020, the Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and the new PPS 2024.

Provincial Policy Statement, 2020 ('PPS 2020')

The PPS 2020 provides direction on matters of Provincial interest related to land use planning and development and include building strong, healthy communities with an emphasis on efficient development and land use patterns, wise use and management of resources, and protecting public health and safety.

The Subject Lands are within a Settlement Area and the Delineated Built-Up Area of the Built Boundary of York Region. The Subject Land is developed for employment uses in an established Settlement Area where full municipal services exist. The Condominium tenure will not change the built form or use of the existing building. Staff are satisfied that the Application is consistent with the PPS 2020.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the 'Growth Plan')

The Growth Plan provides a framework for implementing the Province's vision for building strong, prosperous communities within the Greater Golden Horseshoe to 2041. The Application shown on Attachment 3 does not change the built form or use of the existing building and conforms to the Growth Plan.

Provincial Planning Statement, 2024 ('PPS 2024')

The PPS 2024 provides direction on matters of Provincial interest related to land use planning and development province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

The Subject Lands are within a Settlement Area and the Delineated Built-Up Area of the Built Boundary of York Region. The Subject Land is developed for employment uses in an established Settlement Area where full municipal services exist. The Condominium tenure will not change the built form or use of the existing building. Staff are satisfied that the Application is consistent with the PPS 2024.

York Region Official Plan 2022 ('YROP 2022')

The YROP 2022 designates the Subject Lands 'Urban Area', which permits a wide range of residential, commercial, industrial, and institutional uses. The Subject Lands are located within an existing employment business park established in the 1970's and falls within the employment area designation in the YROP 2022. The Application conforms to the YROP 2022.

Vaughan Official Plan 2010 ('VOP 2010')

VOP 2010 sets out the municipality's general planning goals and policies that guide future land use. The Subject Lands are identified in VOP 2010 as follows:

- "Employment Area" on Schedule 1 – "Urban Structure" of VOP 2010
- "General Employment" on Schedule 13 – "Land Use" of VOP 2010

The Application on Attachment 3 maintains the existing building and the multi-unit employment use on the Subject Lands. On this basis, the Application conforms to VOP 2010.

***Zoning By-law 001-2021***

The Subject Lands are zoned General Employment Zone EM2 subject to site-specific Exception EM2-103. The exception recognizes a 1978 approval permitting a restaurant and banquet hall within the south-east corner of the building. Currently all units within the building are employment uses.

***A related Committee of Adjustment Minor Variance Application to Zoning By-law 001-2021 was required for this Application***

The Owner submitted an application to the Committee of Adjustment (File A071/24) to seek relief from the following zoning provisions:

- To permit the use of the “Industrial Mall” parking requirement for the purpose of calculating parking on the Subject Lands
- For the purposes of zoning conformity only, the Subject Lands shall be deemed to be one lot, regardless of the number of buildings constructed thereon, the creation of separate units and/or lots by way of plan of condominium, consent, or other permissions and easements or registrations that are granted

Committee of Adjustment approved the requested variances on June 20, 2024. The Final and Binding Notice was issued on July 11, 2024.

***The Development Planning Department supports the Application, subject to the conditions outlined in this report***

The Draft Plan of Condominium (Standard) shown on Attachment 3 is consistent with the existing development on the Subject Lands (Attachment 2). The outdoor storage area will be divided into 5 fenced storage units. These outdoor storage units will become units through the Application and will provide an opportunity for outdoor storage units to be purchased by the building unit owners. The Condominium Declaration will restrict ownership of the outdoor storage units to only parties who own a unit within the existing employment building. This will ensure the outdoor storage use is tied to the corresponding use within the building. The existing fencing around the outdoor storage units will screen the units from view from the road.

The Committee of Adjustment approved the related Minor Variance Application A071/24 to recognize the Subject Lands for the purposes of zoning conformity only, to be deemed to be one lot, regardless of the number of buildings constructed thereon, the creation of separate units and/or lots by way of plan of condominium, consent or other permissions and easements or registrations that are granted.



The parking for the building has been calculated using the Industrial Mall parking requirement (1.5 spaces / 100 m<sup>2</sup>) from By-law 001-2021. Although an Industrial Mall is not a permitted use within the EM2 Zone, the Committee of Adjustment's approval of Application A071/24 allowed the Industrial Mall parking rate for the site to provide a total of 57 parking spaces. Development Engineering is satisfied that sufficient parking is provided.

### ***Transportation Engineering Department (TE) Comments***

The Transportation Engineering Department recognizes that parking for the site has been calculated at the industrial mall rate. However, the existing site-specific zone provision on the property allows for a restaurant / banquet hall facility in the southeast corner of the building. Should such a use be proposed to occupy that corner of the building in the future, additional parking spaces will be required for that use in accordance with the City's in effect Comprehensive Zoning By-law parking requirements.

No vehicle access is permitted to storage Units 17-21. In addition, for the remainder of the site, a heavy single unit truck is the largest delivery vehicle permitted on site. This requirement will be added to the condominium agreement and declaration (Attachment 4).

The Development Planning Department can support the approval of the Application shown on Attachment 3, and conditions of Draft Plan of Condominium identified in Attachment 4.

### **Financial Impact**

There are no requirements for new funding associated with this report.

### **Operational Impact**

#### ***City Departments and agencies having no objection to the Application subject to Conditions***

Enbridge, Bell Canada, Financial Planning and Development Finance, Development Engineering and Vaughan Fire and Rescue Service, all have no objections to the Application, subject to Conditions of Draft Approval in Attachment 4.

#### ***Other City Departments and agencies having no objection to the Application***

Emergency Planning, Infrastructure Development, Alectra, Parks Infrastructure Planning and Development, Building Standards, Enforcement Services, Rogers Communications, Metrolinx, Environmental Services Solid Waste Management, and Real Estate Department all have no objection to the Application.

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

York Region has no objection to the approval of this Application.

***The Toronto and Region Conservation Authority (TRCA) has provided comments and conditions of approval***

A portion of the Subject Lands is located within TRCA's Regulated Area due to a Regional Storm flood plain associated with a tributary of the Don River and is subject to Ontario Regulation 166/06. Development is permitted in the Regulated Area, where it can be demonstrated to TRCA's satisfaction that the control of flooding, erosion, dynamic beaches, pollution, or the conservation of land will not be affected. TRCA acknowledged that the development on site is existing, and no changes will result from this Application.

TRCA flood plain mapping and modelling, identifies the southern portion of the Subject Lands as impacted by a Regional Storm flood plain associated with a watercourse located to south of the Subject Lands. TRCA acknowledges the inherent risk associated with the existing land use/building do not represent an increase in risk to life and property. To manage future risk and ensure future owners are aware of the existing flood hazard conditions, TRCA requested an Emergency Management Plan be incorporated in the Condominium Agreement and condominium articles and, warning clauses be included in all agreements of purchase and sale, to identify a flood hazard. A condition is included in Attachment 4 to address TRCA's conditions of approval.

The Flood Management Plan provided by the Owner is acceptable to Vaughan's Emergency Planning section of the Fire and Rescue Service. It will be the responsibility of each individual owner to have plans and procedures for flood events that may impact their unit. The City also requires that the Owner shall inform the tenants of the flood risk in the warning clauses of all Agreements of Purchase and Sale. A condition is included in Attachment 4 to address the City's conditions of approval.

**Conclusion**

The Development Planning Department is satisfied the Application to create a standard condominium tenure for the existing multi-unit employment building on the Subject Lands, subject to Conditions of Draft Approval identified in Attachment 4, is consistent with PPS, conforms with the Growth Plan, YROP and VOP 2010, and is appropriate and compatible with existing and planned surrounding land uses. Accordingly, the Development Planning Department can recommend approval of the Application, subject to the recommendations in this report and Conditions of Draft Approval in Attachment 4.

**For more information**, please contact Laura Janotta, Planner, at extension 8634.

**Attachments**

1. Context and Location Map.
2. Existing Site Conditions.
3. Draft Plan of Condominium: File 19CDM-23V007.
4. Conditions of Draft Approval.

**Prepared by**

Laura Janotta, Planner, ext. 8634.

Margaret Holyday, Senior Planner, ext. 8216.

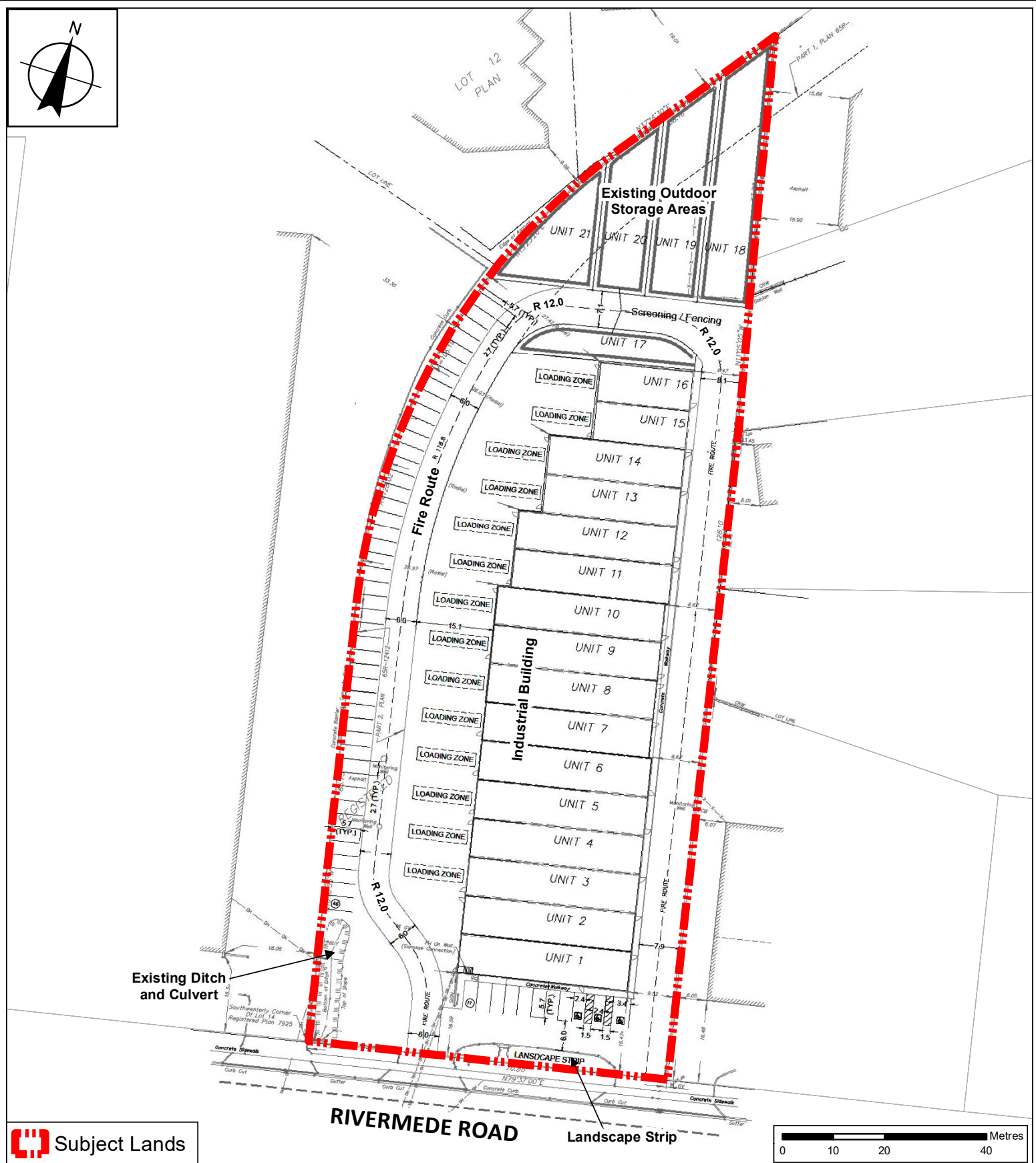
Mary Caputo, Senior Manager of Development Planning, ext. 8635.

Nancy Tuckett, Director of Development Planning, ext. 8529.





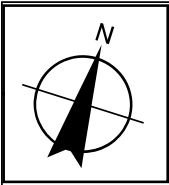





Created on: 9/12/2024







 Subject Lands

## Draft Plan of Condominium: File 19CDM-23V007

**LOCATION:** 582 Rivermeade Road  
Part of Lot 8, Concession 3

**APPLICANT:**  
2465900 Ontario Limited



237

## Attachment

**FILE:**  
19CDM-23V007

**DATE:**  
October 8, 2024

3



## **ATTACHMENT 4**

### **CONDITIONS OF DRAFT APPROVAL**

**DRAFT PLAN OF CONDOMINIUM (STANDARD)  
FILE 19CDM-23V007 ('PLAN')  
2465900 ONTARIO LIMITED ('OWNER')  
CITY OF VAUGHAN ('CITY')**

**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-23V007, ARE AS FOLLOWS:**

**City of Vaughan**

1. The Plan shall relate to a Draft Plan of Condominium, prepared by ERTL-HUNT Surveyors, drawing dated January 28, 2024.
2. Prior to the execution of the Condominium Agreement, the Owner shall submit a pre-registered Plan of Condominium to the City.
3. The Owner shall enter into a Condominium Agreement with the City and shall agree to satisfy any outstanding conditions that the City may consider necessary.
4. The Condominium Agreement shall be registered on title against the lands to which it applies, at the cost of the Owner.
5. Prior to final approval of the Plan, the Owner shall submit a vehicle maneuvering plan to the satisfaction of the Transportation Engineering Department.
6. Prior to final approval of the Plan, the Owner, their Solicitor and Land Surveyor shall confirm that all required easements and rights-of-way for utilities, drainage and construction purposes have been granted to the appropriate authorities.
7. Prior to final approval of the Plan, the Owner shall confirm to the City that they have paid all taxes levied, all additional municipal levies, if applicable, development charges and all financial requirements of this development as may be required to the satisfaction of the Financial Planning and Development Finance Department. The Owner also certifies acknowledgement or responsibility for the payment of all taxes levied to date, both interim and final, and all taxes levied upon the land after execution of the Condominium Agreement, if required, until each unit covered under the Condominium Agreement is separately assessed.

8. The following provisions shall be included in the Condominium Agreement/Condominium Declaration to the satisfaction of the City:
- a) The Owner and/or the Condominium Corporation shall include a clause within the Condominium Declaration and Condominium Agreement identifying that Units 17 to 21 are for outdoor storage use only and provide the opportunity for outdoor storage units to be purchased by and restricted to only parties who own a unit within the existing employment building to ensure the outdoor storage use is tied to the corresponding use within the building.
  - b) The Owner and/or the Condominium Corporation shall maintain fencing around the outdoor storage units to screen the units from view from the road.
  - c) No vehicle access is permitted to Units 17-21.
  - d) A heavy single unit truck is the largest delivery vehicle permitted on site.
  - e) The Owner and/or the Condominium Corporation shall be responsible to regularly clean and maintain all catch basins, area drains and sewers within the lands.
  - f) The Owner and/or Condominium Corporation shall be responsible for snow removal and clearing and the Condominium Corporation shall not store or deposit snow from the lands/development onto adjacent property.
  - g) Private waste collection shall be the responsibility of the Condominium Corporation.
  - h) The Owner shall include the following warning clauses in the Condominium Declaration and in all Agreements of Purchase and Sale and/or Lease for all Units, advising:
    - i) “This development will function as a standard condominium and all details and associated costs shall be presented in the sales office, and through marketing material etc.”
    - ii) “Purchasers and/or tenants are advised that portions of the subject lands are located within the TRCA’s Regulated Area due to a Regional Storm flood plain hazard associated with a Tributary of the Don River Watershed. Any development or site alteration within TRCA’s Regulated Area is subject to a permit pursuant to

Conservation Authorities Act – Section 28 and Ontario Regulation 41/24.

- iii) All agreements of purchase and sale shall include a warning clause identifying that the subject property is impacted by a flood hazard (i.e., during a significant storm event, portions of the site would be inundated with flood waters).

- iii) “An Emergency Management Plan, prepared by Greck and Associates Limited, dated April 16, 2024, has been prepared to provide flood management measures and a full evacuation procedure for the units in the event that flooding occurs. The Emergency Management Plan shall be incorporated into the Condominium Agreement, all Agreements of Purchase and Sale and articles of incorporation for the Condominium.

It shall be the responsibility of each individual unit Owner to maintain plans and procedures for flood events that may impact their unit.”

- iv) “Purchasers and/or tenants of Units 1 to 16 are advised that fencing along Units 17 to 21 is a requirement of this Condominium Agreement. All outdoor storage shall be contained within the fenced area. Fencing, stored materials or vehicles shall not obstruct the designated fire route shown on Condominium Plan.”

#### Utilities

- 9. Prior to final approval of the Plan, the Owner shall confirm that all required easements and rights-of-way for each utility have been granted to the appropriate authority. The Owner further agrees to convey any easement(s) as deemed necessary by utility corporations at no cost to the utility corporation. The Owner agrees that should any conflict arise with the existing utility facilities or easement(s) within the subject area, the Owner shall be responsible for the relocation of such facilities or easements at their own cost.

#### Clearances

- 10. Development Planning Department shall advise that Conditions 1 to 8 have been satisfied.



## **MEMBER'S RESOLUTION**

### **Committee of the Whole (1)**

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**DATE:** Tuesday, October 08, 2024

**TITLE: CELEBRATING VAUGHAN'S NEWEST CITIZENS – BRINGING  
CITIZENSHIP CEREMONIES TO CITY HALL**

**FROM:**

Mayor Steven Del Duca

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***Whereas***, citizenship ceremonies contribute to the fabric of Vaughan by celebrating the final step newcomers take in the journey to become Canadian citizens; and

***Whereas***, almost half of Vaughan's population was born abroad and citizens speak 105 different languages; and

***Whereas***, citizenship ceremonies are an important opportunity to bring the Vaughan community together; and

***Whereas***, hosting citizenship ceremonies at City Hall signals to new citizens that they are valued by and connected to their municipality; and

***Whereas***, the federal government routinely organizes citizenship ceremonies and requires accessible locations with the appropriate means to host these events; and

***Whereas***, the number of City flag-raising and other events hosted at City Hall has increased significantly in the 2022-2026 Term of Council, and this would serve as one more opportunity to celebrate the diversity of Vaughan's residents.

**It is therefore recommended:**

1. That Council approve the use of City Hall to host citizenship ceremonies annually, and to absorb the expenditures associated with hosting these events; and
2. That Council direct staff to coordinate with the federal government to facilitate the hosting of citizenship ceremonies at City Hall.

**Financial and Staff Resource Impact**

Existing operating budget will be allocated to support the administration of citizenship ceremonies hosted by the City of Vaughan.

**Attachments**

None



## **MEMBER'S RESOLUTION**

### **Committee of the Whole (1)**

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**DATE:** Tuesday, October 08, 2024

**TITLE:** 2024 MAYORS SUMMIT AGAINST ANTI-SEMITISM

**FROM:**

Mayor Steven Del Duca

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***Whereas***, safeguarding the quality of life for all Vaughan residents by combating all forms of hate, intimidation, intolerance, discrimination, Anti-Semitism, and the incitement of violence requires an immediate call to action; and

***Whereas***, acts of intimidation such as the vandalism at Chabad House of Maple on November 14, 2023, and two large-scale protests in Thornhill in March 2024 have led to Vaughan's Jewish community and residents feeling considerable distress and intimidation; and

***Whereas***, Council adopted unanimously a resolution co-authored by Mayor Del Duca and Councillor Martow immediately following the October 7 terrorist attacks, in which the City of Vaughan pledged to stand with the people of Israel against the ongoing, egregious acts of violence from Hamas; and

***Whereas***, Council further adopted a unanimous resolution on June 25, 2024, arising from a Member's Resolution presented by Mayor Del Duca, which protects vulnerable social infrastructure, including places of worship, schools, childcare facilities, and healthcare facilities from demonstrations which cause intimidation, including, but not limited to, actions or expressions that incite hatred, violence, intolerance, or discrimination; and

***Whereas***, Mayor Del Duca has been invited by Mayor Friedman of Beverly Hills, California, to be a keynote speaker about Vaughan's municipal initiatives on combatting anti-Semitism, including the bylaw to protect vulnerable social infrastructure, at the 2024 Mayors Summit Against Anti-Semitism; and

**Whereas**, airfare and hotel expenses have been offered to be covered by the Combat Hate Foundation; and

**Whereas**, Vaughan's continued leadership and representation on the critically important issue of combatting anti-Semitism remains a priority for residents.

**It is therefore recommended:**

1. That Council endorse Mayor Steven Del Duca's participation as a delegate and keynote speaker to the 2024 Mayors Summit Against Anti-Semitism, where Mayor Del Duca will address the City of Vaughan's Council-approved initiatives to combat anti-Semitism and all forms of hate; and
2. That Council endorse that airfare and hotel, for the Mayor's participation as a delegate, be covered by the Combat Hate Foundation.

**Financial and Staff Resource Impact**

Existing budget will be used to fund staff participation to support this initiative.

**Attachments:** N/A

**CITY OF VAUGHAN  
REPORT NO. 2 OF THE  
INTERGOVERNMENTAL RELATIONS SUB-COMMITTEE**

***For consideration by the Committee of the Whole  
of the City of Vaughan  
on October 8, 2024***

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The Intergovernmental Relations Sub-Committee met at 2:00 p.m., on September 16, 2024, via electronic participation. The following members were present:

**Members**

Regional Councillor Mario Ferri, Chair  
Regional Councillor Mario G. Racco, Vice-Chair  
Councillor Rosanna DeFrancesca

**Staff**

Michael Genova, Chief, Communications and Economic Development  
Raphael Costa, Director, Economic Development  
Maria Papadopoulos, Program Manager, Strategic Economic Relations, Economic Development  
Christina Prinzo, Program Manager, Municipal Partnerships and Corporate Initiatives, Economic Development  
Ian Hall, Program Manager, Strategic Corporate Initiatives, Communications and Economic Development  
Fahim Khan, Public Policy and Research Specialist, Economic Development  
Cassandra Cleveland, Communications Advisor, Economic Development, Communications, Marketing and Engagement  
Lindsay Davidson, Manager, Economic Development  
Julie Flesch, Manager, Strategic Economic Initiatives, Economic Development  
Anthony Tersigni, Executive Assistant to Local and Regional Councillor Mario Racco  
Nancy Tamburini, Executive Advisor to Councillor Rosanna DeFrancesca  
Assunta Ferrante, Legislative Specialist, Office of the City Clerk

The following items were dealt with:

**1. UPDATE ON THE CITY OF VAUGHAN MP/MPP BREAKFAST INITIATIVES**

**The Intergovernmental Relations Sub-Committee advises Council:**

- 1. That the discussion with respect to the above was received;  
and**

**REPORT NO. 2 OF THE INTERGOVERNMENTAL RELATIONS  
SUB-COMMITTEE FOR CONSIDERATION BY THE  
COMMITTEE OF THE WHOLE, OCTOBER 8, 2024**

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2. That the presentation of Michael Genova, Chief, Communications and Economic Development, and Communication C1., presentation material, dated September 16, 2024, were received.

**2. UPDATE ON THE 2024 ASSOCIATION OF MUNICIPALITIES  
CONFERENCE AND THE 2024 FEDERATION OF CANADIAN  
MUNICIPALITIES CONFERENCE**

The Intergovernmental Relations Sub-Committee advises Council:

1. That the discussion with respect to the above was received; and
2. That the presentation of Maria Papadopoulos, Program Manager, Strategic Economic Relations, Economic Development, and Communication C2., presentation material, dated September 16, 2024, were received.

**3. MODULAR HOUSING UPDATE**

The Intergovernmental Relations Sub-Committee advises Council:

1. That the discussion with respect to the above was received; and
2. That the presentation of Raphael Costa, Director, Economic Development, and Communication C3., presentation material, dated September 16, 2024, were received.

**4. UPDATE ON CITY OF VAUGHAN GRANT APPLICATIONS**

The Intergovernmental Relations Sub-Committee advises Council:

1. That the discussion with respect to the above was received; and
2. That the presentation of Cristina Prinzo, Program Manager, Municipal Partnerships and Corporate Initiatives, Economic Development, and Communication C4., presentation material, dated September 16, 2024, were received.

**REPORT NO. 2 OF THE INTERGOVERNMENTAL RELATIONS  
SUB-COMMITTEE FOR CONSIDERATION BY THE  
COMMITTEE OF THE WHOLE, OCTOBER 8, 2024**

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**5. UPDATE ON THE JULY 2024 ITALY MISSION**

The Intergovernmental Relations Sub-Committee advises Council:

1. That the discussion with respect to the above was received;  
and
  2. That the presentation of Raphael Costa, Director, Economic Development, and Communication C5., presentation material, dated September 16, 2024, were received.
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The meeting adjourned at 2:49 p.m.

Respectfully submitted,

Regional Councillor Mario Ferri, Chair



**CITY OF VAUGHAN**  
**REPORT NO. 3 OF THE**  
**ANTI-HATE, DIVERSITY AND INCLUSION ADVISORY COMMITTEE**

*For consideration by the Committee of the Whole  
of the City of Vaughan  
on October 8, 2024*

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The Anti-Hate, Diversity and Inclusion Advisory Committee met at 7:02 p.m., on September 23, 2024, via electronic participation. The following members were present:

**Members**

Councillor Gila Martow, Chair  
Councillor Chris Ainsworth, Co-Chair  
Asia Nisar  
Carrie Silverberg  
Hina Zahid  
Hitesh Anand  
Sabrina Di Marco (7:20 p.m.)  
Sam Eskenasi  
Mira Hamat

**Staff**

Michael Genova, Chief, Communications and Economic Development  
Mark Bond, Chief Human Resources Officer  
Rouya Botlani, Manager, Inclusion and Community Outreach  
Joanne Huy, Senior Advisor, Strategic Engagement (Inclusion and Community Outreach)  
Samantha Michaels, Specialist, Indigenous Relations  
Tricia Campbell, Equity and Cultural Transformation Implementation Specialist  
An Nguyen, Project Lead – Diversity, Equity and Inclusion  
Anna Rose, Recreation Manager, Events, Theatre and Studio Operations,  
Raphael Costa, Director, Economic Development  
Don De Los Santos, Manager, Economic Services, Economic Development  
Kate Jung, Small Business Advisor, Vaughan Business and Entrepreneurship Centre  
Jessica Stronghill, Manager, Strategic Engagement  
Erynn Sally, Manager, Corporate and Strategic Communications  
Eden Davis, Council Administrative Assistant, Ward 5  
Assunta Ferrante, Legislative Specialist, Office of the City Clerk

**REPORT NO. 3 OF THE ANTI-HATE, DIVERSITY AND INCLUSION  
ADVISORY COMMITTEE FOR CONSIDERATION BY  
THE COMMITTEE OF THE WHOLE, OCTOBER 8, 2024**

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The following items were dealt with:

**1. INCLUSION AND COMMUNITY OUTREACH BUSINESS UNIT**

The Anti-Hate, Diversity and Inclusion Advisory Committee advises Council:

1. That the presentation of Michael Genova, Chief, Communications and Economic Development, and Communication C1., presentation material, dated September 23, 2024, were received.

**2. INDIGENOUS RELATIONS INITIATIVES**

The Anti-Hate, Diversity and Inclusion Advisory Committee advises Council:

1. That the discussion with respect to the above was received; and
2. That the presentation of Samantha Michaels, Specialist, Indigenous Relations, and Communication C2., presentation material, dated September 23, 2024, were received.

**3. SMALL BUSINESS WEEK**

The Anti-Hate, Diversity and Inclusion Advisory Committee advises Council:

1. That the discussion with respect to the above was received; and
2. That the presentation of Kate Jung, Small Business Advisor, Vaughan Business and Entrepreneurship Centre, and Communication C3., presentation material, dated September 23, 2024, were received.

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The meeting adjourned at 7:51 p.m.

Respectfully submitted,

Councillor Gila Martow, Chair