

**CITY OF VAUGHAN  
COMMITTEE OF THE WHOLE (PUBLIC MEETING)  
AGENDA**

**This is an Electronic Meeting. The Council Chamber will not be open to the public. Public comments can be submitted by email to [clerks@vaughan.ca](mailto:clerks@vaughan.ca). If you wish to speak to an item listed on the Agenda, please pre-register by contacting Access Vaughan at 905-832-2281 or [clerks@vaughan.ca](mailto:clerks@vaughan.ca) by noon on the last business day before the meeting.**

**Tuesday, January 18, 2022**

**7:00 p.m.**

**Council Chamber**

**2nd Floor, Vaughan City Hall**

**2141 Major Mackenzie Drive**

**Vaughan, Ontario**

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**Pages**

- 1. DISCLOSURE OF INTEREST**
- 2. COMMUNICATIONS**
- 3. CONSIDERATION OF PUBLIC MEETING ITEMS**

1. SEVEN 427 DEVELOPMENTS INC. OFFICIAL PLAN AMENDMENT  
FILE OP.21.018 ZONING BY-LAW AMENDMENT FILE Z.21.037  
VICINITY OF HIGHWAY 7 AND NEW HUNTINGTON ROAD  
Information item from the Deputy City Manager, Planning and Growth  
Management with respect to the above.

**3**

- |      |   |    |
|------|---|----|
| 2.   | TESTON SANDS INC. ZONING BY-LAW AMENDMENT FILE Z.21.046<br>DRAFT PLAN OF SUBDIVISION AMENDMENT FILE 19T-17V009 -<br>1600 TESTON ROAD VICINITY OF DUFFERIN STREET AND TESTON<br>ROAD<br>Information item from the Deputy City Manager, Planning and Growth<br>Management with respect to the above.                              | 23 |
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| 3.   | CITY-WIDE COMPREHENSIVE ZONING BY-LAW 001-2021 ZONING<br>BY-LAW AMENDMENT FILE Z.21.052 AMENDMENTS TO<br>TRANSITION PROVISIONS<br>Information item from the Deputy City Manager, Planning and Growth<br>Management, and Deputy City Manager, Legal and Administrative<br>Services and City Solicitor with respect to the above. | 41 |

#### 4. ADJOURNMENT

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

[www.vaughan.ca](http://www.vaughan.ca) (Agendas, Minutes and Live Council Broadcast)

## Committee of the Whole (Public Meeting) Report

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**DATE:** Tuesday, January 18, 2022

**WARD:** 2

**TITLE: SEVEN 427 DEVELOPMENTS INC.  
OFFICIAL PLAN AMENDMENT FILE OP.21.018  
ZONING BY-LAW AMENDMENT FILE Z.21.037  
VICINITY OF HIGHWAY 7 AND NEW HUNTINGTON ROAD**

**FROM:**

Haiqing Xu, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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**Purpose**

To receive comments from the public and the Committee of the Whole on applications to amend Vaughan Official Plan 2010 ('VOP 2010'), Zoning By-law 1-88 and Zoning By-law 001-2021 for the lands shown on Attachment 1, to permit the development of a one-storey industrial employment building with accessory outside storage and future office uses as shown on Attachments 2 to 5.

**Report Highlights**

- The Owner proposes a one-storey industrial employment building with accessory outside storage and future office uses.
- Official Plan and Zoning By-law Amendments and a future site plan application are required to permit the proposed development.
- This report identifies preliminary issues to be considered in a comprehensive report to be prepared by the Development Planning Department at a future Committee of the Whole meeting.

**Recommendations**

1. THAT the Public Meeting report for Official Plan and Zoning By-law Amendment Files OP.21.018 and Z.21.037 (Seven 427 Developments Inc.) BE RECEIVED, and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

## **Background**

Location: The 4.1 ha subject lands ('Subject Lands') are comprised of three vacant parcels and have no municipal address but are legally described as follows:

- Parcel 1: Part of Lot 6, Concession 9, Vaughan, designated as Part 3, Plan 65R-34359 save and except Part 1, 65R-34471
- Parcel 2: Part Lot 6, Concession 9, Vaughan, designated as Part 4 Plan 65R-34359 save and except Part 2, 65R-34471
- Parcel 3: Part Lot 6, Concession 9, Vaughan, designated as Part 12, 65R-34359 save and except Parts 3 & 4, 65R-34471

The Subject Lands are situated on the north side of Highway 7, west of New Huntington Road. The Subject Lands and the surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: April 1, 2021.

Date Applications were deemed complete: The applications were deemed complete on Friday, October 22, 2021.

### ***Previous Development Applications***

The Subject Lands are located within the Block 57/58 Block Plan. The Development Planning Department prepared a comprehensive report for the Block 57/58 Block Plan for the Committee of the Whole on June 16, 2003 and Vaughan Council ratified the approval recommendations of the comprehensive report on June 23, 2003.

Official Plan Amendment File OP.06.030 and Zoning By-law Amendment File Z.06.077 were submitted by the Owner, Seven 427 Developments Inc. on December 22, 2006, to permit retail and service commercial uses on the Subject Lands. These files were closed shortly thereafter due to inactivity. Zoning By-law Amendment File Z.06.077 was reopened in 2011 when a revised submission was received to rezone the Subject Lands from "A Agricultural Zone" to "C5 Community Commercial Zone" and to permit site specific exceptions to allow for commercial uses. This revised application was heard by Committee of the Whole (Public Hearing) on April 12, 2011 and the recommendations of the Public Hearing report were ratified by Vaughan Council on May 3, 2011. The Development Planning Department prepared a comprehensive report for Committee of the Whole review on June 14, 2011, and the approval recommendations were approved by Vaughan Council on June 28, 2011. The implementing Zoning By-law associated with this application was never enacted as the Owner did not fulfill the conditions that were required to be satisfied prior to the enactment of the Zoning By-law.

In 2013, a further Zoning By-law Amendment File Z.13.011 was submitted by the Owner (Seven 427 Developments Inc.) to rezone the Subject Lands from "A Agricultural Zone" to "C5 Community Commercial Zone" and permit site specific exceptions to allow for additional commercial uses on the Subject Lands. The application was heard by Committee of the Whole (Public Hearing) on April 30, 2013 and the recommendations of the Public Hearing report were ratified by Vaughan Council on May 14, 2013. The Development Planning Department prepared a comprehensive report for Committee of

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the Whole on June 18, 2013 and the approval recommendations were ratified by Vaughan Council on June 25, 2013, along with the enactment of By-law 101-2013.

Lastly, Official Plan Amendment File OP.15.001 and Zoning By-law Amendment File Z.15.001 were submitted on February 3, 2015 by the Owner (Seven 427 Developments Inc.) to permit a site-specific amendment to VOP 2010 and site-specific exceptions to Zoning By-law 1-88 to allow for a gas station accessory to a permitted retail use, an automobile service station, and an automotive retail store as accessory uses. The applications were heard by the Committee of the Whole (Public Hearing) on March 3, 2015 and the recommendations of the Public Hearing report were ratified by Vaughan Council on March 24, 2015. The Development Planning Department prepared a comprehensive report for Committee of the Whole on June 16, 2015 and the approval recommendations were ratified by Vaughan Council on June 23, 2015 along with the enactment of By-law 108-2015 (OPA 10) and By-law 109-2015.

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

The Owner has submitted the following applications ('Applications') for the Subject Lands to permit the proposed development of a one-storey industrial employment building with a total GFA of 17,951 m<sup>2</sup>, including 951.55 m<sup>2</sup> of future office uses and accessory outside storage of 30 truck trailers ('the Development'), as shown on Attachments 2 to 5:

1. Official Plan Amendment File OP.21.018 to permit a site-specific amendment to the policies of VOP 2010, Volumes 1 and 2, Section 12.12 – Huntington Business Park and Section 13.30 - NW Corner of Highway 427 and Highway 7, to permit the Development.
2. Zoning By-law Amendment File Z.21.037 to maintain the "C5 Community Commercial Zone" subject to site-specific exception 9(1392) in Zoning By-law 1-88 as shown on Attachment 2 and permit site-specific zoning exceptions as identified in Table 1 of this report. The Owner shall also be required to amend Zoning By-law 001-2021 to maintain the "EMU Employment Mixed Use Zone" subject to site-specific exception 14.1021, as shown on Attachment 2, and permit site-specific zoning exceptions as identified in Table 2 of this report.

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

- a) Date the Notice of Public Meeting was circulated: December 23, 2021.

The Notice of Public Meeting was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed along New Huntington Road, Highway 7, and Runway Road in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: To all property owners within 150 m of the Subject Lands and to the West Woodbridge Homeowners Association and to anyone on file with the

Office of the City Clerk having requested notice.

- c) No comments have been received as of December 23, 2021 by the Development Planning Department.

Any written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication and be reviewed and addressed by the Development Planning Department in a future comprehensive report to the Committee of the Whole.

### **Previous Reports/Authority**

The following are links to previous reports regarding the Subject Lands:

[Committee of the Whole Report for Block 57/58 Block Plan, ratified by Council on June 23, 2003 \(Item 52 of Report No. 51\)](#)

[Committee of the Whole \(Public Hearing\) for Zoning By-law Amendment File Z.06.077, ratified by Council on May 3, 2011 \(Item 4, Report No. 21\)](#)

[Committee of the Whole for Zoning By-law Amendment File Z.06.077, ratified by Council on June 28, 2011 \(Item 38, Report No. 32\)](#)

[Committee of the Whole \(Public Hearing\) for Zoning By-law Amendment File Z.13.011, ratified by Council on May 14, 2013 \(Item 2, Report No. 21\)](#)

[Committee of the Whole for Zoning By-law Amendment File Z.13.011, ratified by Council on June 25, 2013 \(Item 28, Report No.32\)](#)

[Committee of the Whole \(Public Hearing\) for Official Plan Amendment File OP.15.001 and Zoning By-law Amendment File Z.15.001, ratified by Council on March 24, 2015 \(Item 5, Report No. 13\)](#)

[Committee of the Whole for Official Plan Amendment File OP.15.001 and Zoning By-law Amendment File Z.15.001, ratified by Council on June 23, 2015 \(Item 14, Report No. 26\)](#)

### **Analysis and Options**

***An amendment to Vaughan Official Plan 2010 is required to permit the development***

**Official Plan Designation:**

- Located within an “Employment Area” and “Regional Intensification Corridor” on Schedule 1 – Urban Structure by VOP 2010
- Designated “Employment Commercial Mixed Use” on Schedule 13 – Land Use by VOP 2010 with a maximum height of 10 storeys and a Floor Space Index (FSO) of 3.0 times the area of the lot

- Subject to the Area Specific Policies of Section 12.12 of VOP 2010, Volume 2 – Huntington Business Park and Section 13.30 of VOP 2010, Volume 2 – NW Corner of Highway 427 and Highway 7
- Identified as a “Prestige Area” in the Block 57/58 Block Plan
- The “Employment Commercial Mixed Use” designation does not permit industrial employment uses with accessory outside storage, therefore a site-specific amendment to VOP 2010 is proposed to permit the Development on the Subject Lands.

***Amendments to City of Vaughan Zoning By-laws are required to permit the Development***

**Zoning:**

- “C5 Community Commercial Zone” subject to site-specific exception 9(1392) by Zoning By-law 1-88, as shown on Attachment 1.
- This zone does not permit the proposed industrial employment building.
- The Owner proposes to maintain the “C5 Community Commercial Zone”, as shown on Attachment 2 and permit the following site-specific zoning exceptions:

**Table 1**

	<b>Zoning By-law 1-88 Standard</b>	<b>C5 Community Commercial Zone Requirement</b>	<b>Proposed Exceptions to the C5 Community Commercial Zone Requirement</b>
a.	Permitted Uses	An industrial employment building with accessory outside storage is not permitted	Permit the following additional uses: <ul style="list-style-type: none"> <li>- an industrial employment use</li> <li>- accessory office</li> <li>- accessory outside storage of 30 truck trailers</li> </ul>
b.	Definition of Parking Space	Means a rectangular area measuring 2.7 m by 6 m	Means a rectangular area measuring 2.7 m by 5.7 m
c.	Lot Coverage	33%	60%
d.	Minimum Parking Requirements	<p>Employment 1.5 spaces per 100 m<sup>2</sup> x = 255 spaces</p> <p>Accessory Office 2 spaces per 100 m<sup>2</sup> = 20 spaces</p> <p>Total Parking Required = 275 spaces</p>	<p>Employment 1 space per 100 m<sup>2</sup> = 170 spaces</p> <p>Accessory Office 2 spaces per 100 m<sup>2</sup> = 23 spaces</p> <p>Total Parking Provided = 193 spaces</p>

	<b>Zoning By-law 1-88 Standard</b>	<b>C5 Community Commercial Zone Requirement</b>	<b>Proposed Exceptions to the C5 Community Commercial Zone Requirement</b>
e.	Maximum Building Height	11 m	15 m

***Council enacted By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law***

On October 20, 2021, Council enacted By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law (“By-law 1-21”). A notice of the passing was circulated on October 25, 2021 in accordance with the *Planning Act*. The last date for filing an appeal to the Ontario Land Tribunal (OLT) in respect of By-law 1-21 was November 15, 2021. By-law 1-21 is currently under appeal and, when in force, will replace Zoning By-law 1-88, as amended. Until such time as By-law 1-21 is in force, the Owner will be required to demonstrate conformity with both By-law 1-21 and Zoning By-law 1-88, as amended, unless a transition provision under By-law 1-21 applies.

The Subject Lands are zoned “EMU Employment Mixed Use Zone” subject to site-specific exception 14.1021 in Zoning By-law 001-2021, as shown on Attachment 1. This zone does not permit the Development. Maintaining the “EMU Employment Mixed Use Zone” on the Subject Lands, the following site-specific exceptions to By-law 1-21 would be required to permit the Development:

**Table 2**

	<b>Zoning By-law 1-21 Standard</b>	<b>EMU Commercial Mixed Use Zone Requirement</b>	<b>Proposed Exceptions to EMU Commercial Mixed Use Zone Requirement</b>
a.	Permitted Uses	An industrial employment building with accessory outside storage is not permitted	Permit the following additional uses: <ul style="list-style-type: none"> <li>- an industrial employment use</li> <li>- accessory office</li> <li>- accessory outside storage of 30 truck trailers</li> </ul>
b.	Minimum Build-To Zone (Section 8.2.2)	The minimum build to zone shall be between 5 to 10 m and shall apply to 55% of the frontage of a corner lot	The maximum build to zone for the Development shall be as follows: <ul style="list-style-type: none"> <li>- 24 m to Highway 7</li> <li>- 29.5 m to New Huntington Road</li> <li>- 66 m to Runway Road</li> </ul>

	<b>Zoning By-law 1-21 Standard</b>	<b>EMU Commercial Mixed Use Zone Requirement</b>	<b>Proposed Exceptions to EMU Commercial Mixed Use Zone Requirement</b>
c.	Location of Parking (Section 8.2.2, Table 8-3)	Surface parking is prohibited in the front and exterior yard	Surface parking shall be permitted in the front and exterior yard
d.	Minimum Parking Requirements	<p><u>Employment</u> 1.0 spaces per 100 m<sup>2</sup> = 170 spaces</p> <p>Accessory Office 3 spaces per 100 m<sup>2</sup> = 29 spaces</p> <p>Total Parking Required = 199 spaces</p>	<p>Employment 1 space per 100 m<sup>2</sup> = 170 spaces</p> <p>Accessory Office 2 spaces per 100 m<sup>2</sup> = 23 spaces</p> <p>Total Parking Proposed = 193 spaces</p>

Additional zoning exceptions may be identified through the detailed review of the Applications and will be considered in a comprehensive report at a future Committee of the Whole meeting.

***Following a preliminary review of the applications, the Development Planning Department has identified the following matters to be reviewed in greater detail***

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
a.	Conformity and Consistency with Provincial Policies, York Region and City Official Plan Policies	<ul style="list-style-type: none"> <li>▪ The Applications will be reviewed for consistency and conformity with the Provincial Policy Statement, 2020 (the 'PPS'), A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the 'Growth Plan') and the policies of the York Region Official Plan, 2010 ('YROP').</li> <li>▪ The Applications will be reviewed in consideration of VOP 2010, specifically Sections 12.12 and 13.30 of VOP 2010, Volume 2 as well as the design criteria policies of the VOP 2010, Volume 1 as it relates to employment/industrial buildings. The Applications will also be reviewed in consideration of the Block 57/58 Block Plan.</li> </ul>
b.	Appropriateness of Amendments to VOP 2010 and Zoning By-law	<ul style="list-style-type: none"> <li>▪ The appropriateness of the amendments to VOP 2010 and the zoning exceptions identified in Tables 1 and 2 will be reviewed in consideration of compatibility with surrounding land uses (existing and planned), built form, lot coverage,</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
		build-to-zone, setbacks, parking, access, maneuverability, landscaping, and the City-wide urban design guidelines.
c.	Required Applications	<ul style="list-style-type: none"> <li>Should the Applications be approved by Council, the Owner will be required to submit a Site Development Application to be reviewed in a future comprehensive report to the Committee of the Whole.</li> </ul>
d.	Block 57/58 Block Plan	<ul style="list-style-type: none"> <li>The Subject Lands are located within the Block 57/58 Block Plan.</li> <li>The Owner may be required to enter into and satisfy all obligations financial or otherwise of the Block 57/58 Developers' Group Agreement to the satisfaction of the Block 57/58 Trustee and the City of Vaughan.</li> </ul>
e.	Agreements	<ul style="list-style-type: none"> <li>The Subject Lands are located within the Vaughan West II &amp; Seven 427 Development Agreement areas.</li> <li>Should the Applications be approved, the Owner may be required to enter into an amending development agreement with the City of Vaughan Development Engineering Department for the installation of any proposed service connections and agree to pay for the design and construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support the Development.</li> <li>Additional agreements with the City of Vaughan regarding discharging groundwater, excavation, shoring, encroachments, and payment of associated fees may also be required.</li> </ul>
f.	Studies and Reports	<ul style="list-style-type: none"> <li>The Owner submitted studies and reports in support of the Applications available on the city's website at <a href="https://maps.v Vaughan.ca/planit/">https://maps.v Vaughan.ca/planit/</a> (PLANit Viewer) and must be approved to the satisfaction of the City or respective approval authority. Additional studies and/or reports may be required as part of the application review process.</li> </ul>
g.	Public Agency/Municipal Review	<ul style="list-style-type: none"> <li>The Applications must be reviewed by external public agencies such as York Region, Peel Region, the Ministry of Transportation, and municipalities such as the City of Brampton, utilities, and the Public, Separate.</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
h.	Sustainable Development	<ul style="list-style-type: none"> <li>The City of Vaughan's Policies and Sustainability Metrics Program will be considered when the required site plan application is submitted for review. The Development is required to achieve a Bronze score of 31.</li> </ul>
i.	Parkland Dedication	<ul style="list-style-type: none"> <li>The Applications will be reviewed in consideration of the requirements of the <i>Planning Act</i> and the City of Vaughan's Parkland Dedication Policy.</li> </ul>
j.	Tree Protection	<ul style="list-style-type: none"> <li>The Owner may be required to provide a detailed tree preservation study to the satisfaction of the City and may be required to enter into any Tree Protection Agreement in accordance with the Tree By-law 052-2018 and the City's Tree Protection Protocol.</li> </ul>
k.	Transportation	<ul style="list-style-type: none"> <li>The Subject Lands are located in proximity to Highway 427 and an associated on-ramp via Highway 7. As such, the Ministry of Transportation will provide comment.</li> <li>The Owner is proposing four accesses for the Subject Lands, with one proposed via Highway 7, which is identified as a "Regional Corridor" by YROP 2010 with a planned right-of-way of up to 45 m. York Region shall review the location and design of the proposed access from Highway 7 and shall identify any required road widenings, conveyances, access requirements and site triangles.</li> </ul>
l.	Lands to be merged on title	<ul style="list-style-type: none"> <li>The Subject Lands are identified as three separate land parcels. In order for the lands to become one lot, they must be merged on title, prior to the enactment of the implementing Official Plan Amendment and Zoning By-law Amendment, should the Applications be approved by Council.</li> </ul>

### **Financial Impact**

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

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

The Applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. The York Region Community Planning and Development Services department in a letter dated December 9, 2021, has exempted Official Plan Amendment File OP.21.018 from Regional

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approval as the matter is of local significance and does not adversely affect Regional planning policies or interests. Any additional issues or comments received from the Region will be addressed through the comprehensive report to Council.

### **Conclusion**

The preliminary issues identified in this report and any other issues identified through the processing of the Applications will be considered in the comprehensive review of the Applications. Comments from the public and Vaughan Council expressed at the Public Meeting or in writing will be addressed in a comprehensive report to a future Committee of the Whole meeting.

**For more information**, please contact Rebecca Roach, Planner, Development Planning Department, ext. 8626.

### **Attachments**

1. Context and Location Map
2. Site Plan and Proposed Zoning
3. Landscape Plan
4. South and East Building Elevations
5. North and West Building Elevations

### **Prepared by**

Rebecca Roach, Planner, ext. 8626

Letizia D'Addario, Senior Planner, ext. 8213

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

### **Approved by**

A handwritten signature in black ink, appearing to read 'Haiqing'.

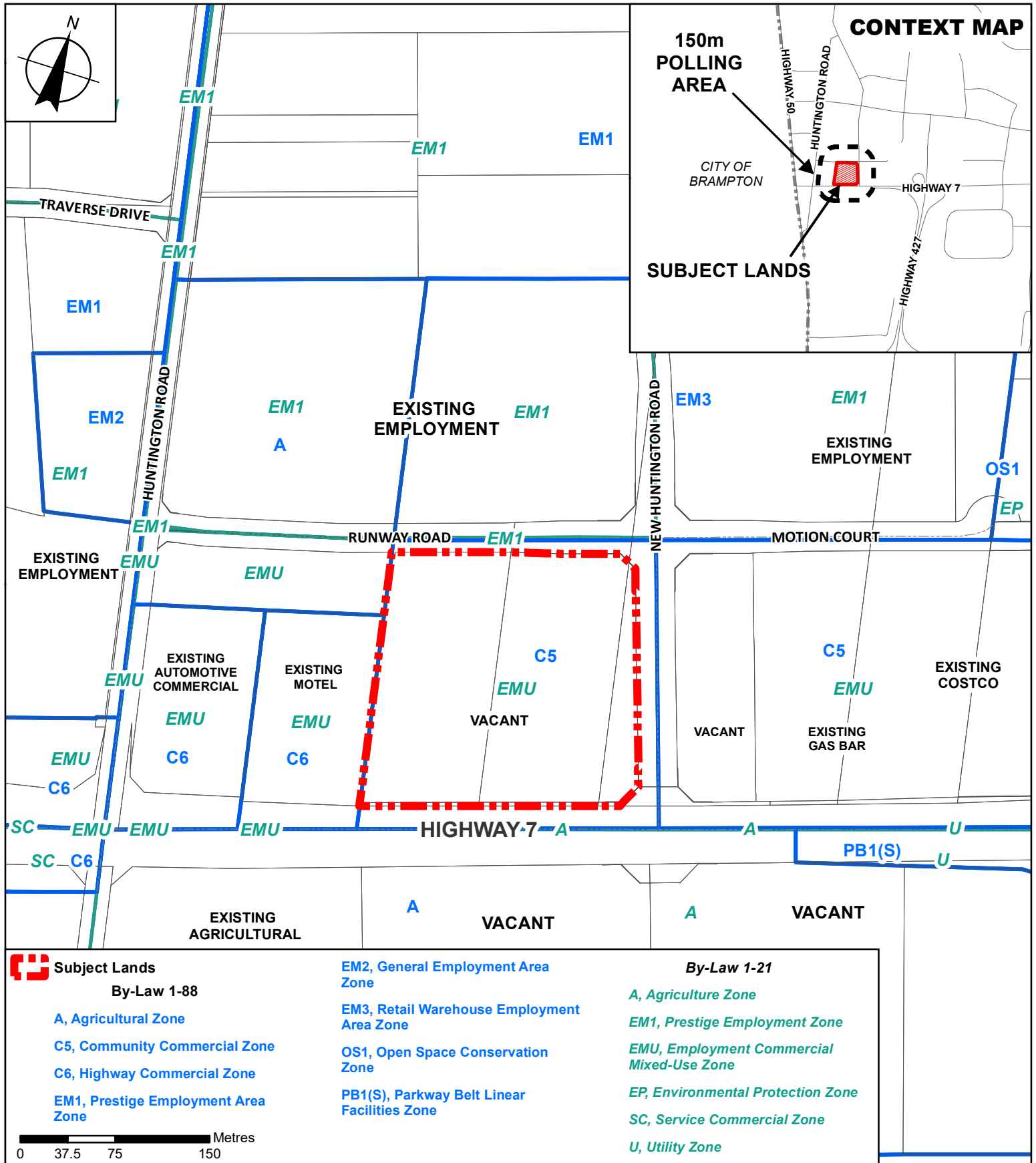
Haiqing Xu, Deputy City Manager,  
Planning and Growth Management

### **Reviewed by**

A handwritten signature in black ink, appearing to read 'Nick Spensieri'.

Nick Spensieri, City Manager





## Context and Location Map

**LOCATION:**  
Part of Lot 6, Concession 9

**APPLICANT:**  
Seven 427 Developments Inc.



## Attachment

**FILES:** OP.21.018  
and Z.21.037

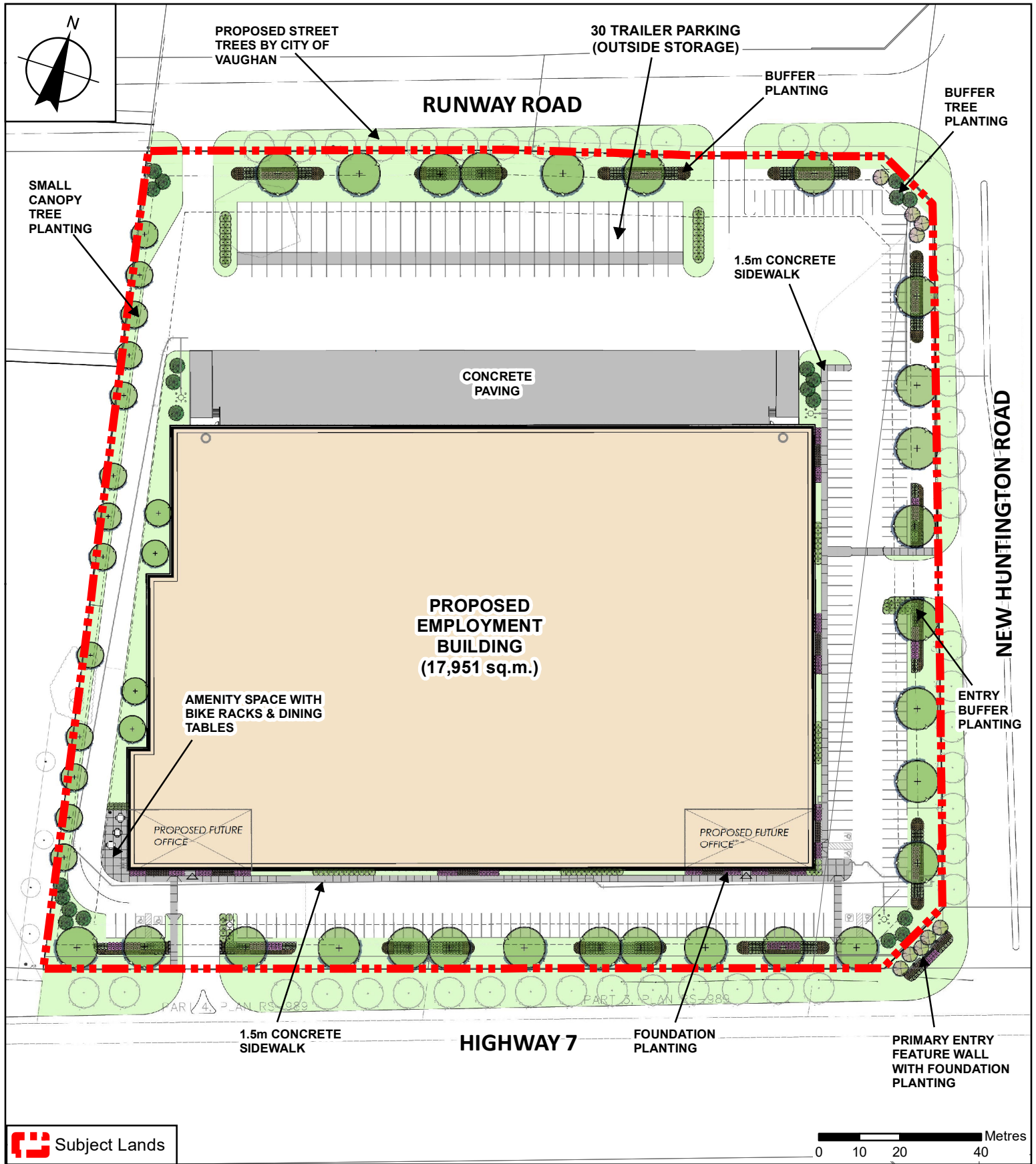
**DATE:**  
January 18, 2022

1









# Landscape Plan

**LOCATION:**  
Part of Lot 6, Concession 9

**APPLICANT:**  
Seven 427 Developments Inc.



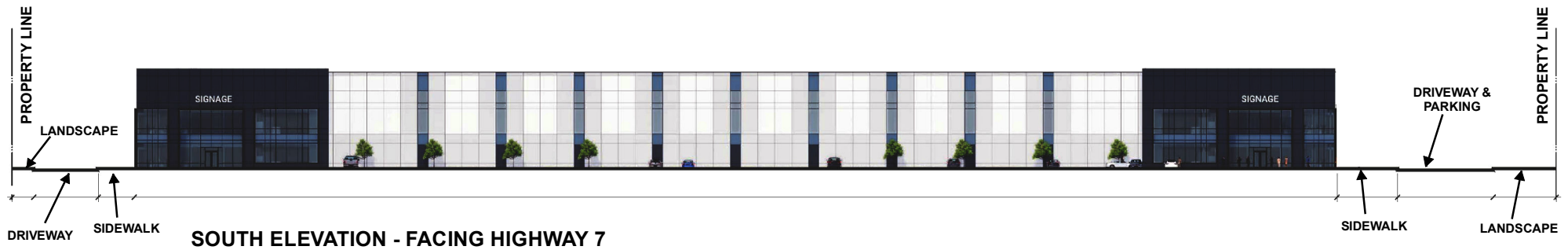
# Attachment

**FILES:** OP.21.018  
and Z.21.037

**DATE:**  
January 18, 2022

**3**





Not to Scale

## South and East Building Elevations

### LOCATION:

Part of Lot 6, Concession 9

APPLICANT: Seven 427 Developments Inc.



## Attachment

FILES: OP.21.018  
and Z.21.037

DATE:

January 18, 2022

4





PROPERTY LINE

PROPERTY LINE

WEST ELEVATION

PROPERTY LINE

PROPERTY LINE

NORTH ELEVATION

Not to Scale

## North and West Building Elevations

**LOCATION:**

Part of Lot 6, Concession 9

**APPLICANT:** Seven 427 Developments Inc.



## Attachment

**FILES:** OP.21.018  
and Z.21.037

**DATE:**  
January 18, 2022

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## Committee of the Whole (Public Meeting) Report

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**DATE:** Tuesday, January 18, 2022

**WARD:** 1

**TITLE:** TESTON SANDS INC.

**ZONING BY-LAW AMENDMENT FILE Z.21.046**

**DRAFT PLAN OF SUBDIVISION AMENDMENT FILE 19T-17V009**

**1600 TESTON ROAD**

**VICINITY OF DUFFERIN STREET AND TESTON ROAD**

**FROM:**

Haiqing Xu, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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### **Purpose**

To receive comments from the public and the Committee of the Whole on applications to rezone portions of the subject lands to permit revisions to the previously approved 90 lot Draft Plan of Subdivision for a revised stormwater management regime from a pond to underground storage tanks as shown on Attachment 2, and to request additional zone exceptions for building height, setbacks, and encroachments.

### **Report Highlights**

- The Owner proposes to rezone portions of the subject lands to permit revisions to the previously approved Draft Plan of Subdivision for a revised stormwater management regime from a pond to underground storage tanks necessitating changes to the zoning by-law and conditions of draft approval.
- Additional zone exceptions for building height, setbacks and encroachments are also proposed. The draft plan of subdivision continues to propose 90 single detached lots.
- This report identifies preliminary issues to be considered in a technical report to be prepared by the Development Planning Department at a future Committee of the Whole meeting.

## **Recommendations**

1. THAT the Public Meeting report for Zoning By-law Amendment and Draft Plan of Subdivision Amendment Files, Z.21.046 and 19T-17V009 (Teston Sands Inc.) BE RECEIVED, and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

## **Background**

Location: 1600 Teston Road (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: September 17, 2021

### ***Previous Approvals from the Ontario Land Tribunal ("OLT") were granted to implement the development of the Subject Lands for a residential subdivision***

- Council on June 19, 2018, approved Official Plan and Zoning By-law Amendment Files OP.17.010 and Z.17.026 and Draft Plan of Subdivision File 19T-17V009 (Teston Sands Inc.) ('Original Applications') to facilitate the development of a residential subdivision for a total of 87 residential units, a stormwater management pond, and opens space buffers.
- MacKenzie Ridge Ratepayers Association appealed the City of Vaughan's adoption of the Original Applications for the Subject Lands to the Local Planning Appeal Tribunal now known as the Ontario Land Tribunal ('OLT') as File PL180665.
- The OLT issued an oral decision on June 26, 2019 based on a settlement agreement between the parties and a memorandum of that decision was issued on January 3, 2020.
- The OLT approved the Minutes of Settlement allowing the Original Applications, but withheld the Order pending receipt of York Region revised conditions of Draft Plan Approval for the subdivision.
- The OLT issued the Order on March 16, 2020 replacing the York Region's Draft Plan of Subdivision conditions.
- Draft Plan of Subdivision File 19T-17V009 proposed the development of the Subject Lands for 90 single detached lots, and Blocks for, Natural Heritage, Vegetation Protection Zone, Walkway/Stormwater Management Access, Open Space, Sound Attenuation, Road Widening, and 0.3 m Reserves, subject to the OLT approved Conditions of Draft Plan Approval corresponding to the Draft Plan of Subdivision prepared by Lucas & Associates Consultants, dated January 29, 2019.
- Council adopted By-law 080-2020 implementing the OLT approved Official Plan Amendment in accordance with the OLT Order. At the Owner's request, By-law 081-2020 to implement the OLT approved Zoning By-law was removed from the Council agenda to allow for further discussions regarding the implementing zoning for the development. The OLT approved implementing Zoning was not included as a site-specific exception to Zoning By-law 1-88.

- Although the City has not assigned an exception number to Zoning By-law 1-88, the Zoning is in effect by the OLT Order, dated January 3, 2020.

***Zoning By-law Amendment and revisions to the previously approved Draft Plan of Subdivision Amendment Applications have been submitted***

Teston Sands Inc. (the 'Owner') has submitted the following applications ('Applications') for the Subject Lands to permit the revisions to the stormwater management regime from a pond to underground storage tanks as shown on Attachment 2:

1. Zoning By-law Amendment File Z.21.046 to amend the OLT approved Zoning By-law for the Subject Lands from "RD1 Residential Detached Zone One", "RD3 Residential Detached Zone Three RD3(H)" with the Holding Symbol "(H)", "OS1 Open Space Conservation Zone", "OS1(H) Open Space Conservation Zone" with the Holding Symbol "(H)", and "OS5 Open Space Environmental Protection Zone" to "RD1 Residential Detached Zone One", "RD3 Residential Detached Zone Three", "RD3(H) Residential Detached Zone Three" with the Holding Symbol "(H)", "OS1 Open Space Conservation Zone", "OS1(H) Open Space Conservation Zone" with the Holding Symbol "(H)", and "OS5 Open Space Environmental Protection Zone", in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. Draft Plan of Subdivision Amendment File 19T-17009 (the 'Draft Plan'), to facilitate revisions to the OLT approved residential plan of subdivision consisting of the following and as shown on Attachment 2:

Lots/ Blocks	Land Use	Area (ha)	Units
Lots 1-15, 20-24, 30-90	Detached Residential (Frontages 12 m)	3.43	79
Lot 21	Detached Residential (Frontage 17 m)	0.05	1
Lots 25 & 29	Detached Residential (Frontage 18 m)	0.12	2
Lots 16-20, 26-28	Detached Residential (Frontage 20 m)	0.48	8
Block 99	Natural Heritage	5.63	
Block 96	Vegetation Protection Zone	0.38	
Blocks 91 & 100	Walkways	0.04	
Block 93	Stormwater Management Block	0.17	
Block 96	Lands Retained By Owner	1.24	
Blocks 92 & 95	Sound Attenuation Block	0.02	
Blocks 94, 101-109	0.3 m Reserves	0.01	
Block 97	Roads	1.84	
<b>TOTAL</b>		<b>13.69</b>	<b>90</b>

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

- a) Date the Notice of Public Meeting was circulated: December 23, 2021

The Notice of Public Meeting was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed on Teston Road in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: To all property owners within 150 metres of the Subject Lands, to the MacKenzie Ridge Ratepayers Association, to property owners within an expanded notification area and to anyone on file with the Office of the City Clerk having requested notice.

- c) The following is a summary of written comments received as of January 4, 2022. The comments are organized by theme as follows:

- impact of this development on water pressure within the existing subdivisions to the north

Any additional written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication and be reviewed and addressed by the Development Planning Department in a future technical report to the Committee of the Whole.

**Previous Reports/Authority**

The following are links to previous reports regarding the Subject Lands for files OP.17.010, Z.17.026 and 19T-17V009:

[January 30, 2018, Committee of the Whole \(Public Hearing\) \(Item 1, Report No. 3\)](#)

[June 19, 2018, Committee of the Whole \(Item 35, Report No. 21\)](#)

[March 4, 2019, Committee of the Whole \(Closed Session\) \(Item 1, Report No. 10\)](#)

[March 4, 2019, Special Council Minutes, Minute No. 51](#)

**Analysis and Options**

***The Applications conform with Vaughan Official Plan 2010***

**Official Plan Designation:**

- "Community Area" on Schedule 1 – Urban Structure by Vaughan Official Plan 2010 ('VOP 2010')
- "Low-Rise Residential" on Schedule 13 – Land Use by VOP 2010
- This designation permits single detached, semi-detached and townhouse dwellings at a maximum building height of 3-storeys.

- The site-specific policy 13.20 of Volume 2 of VOP 2010 recognizes the southern portion of the Subject Lands may be affected by the recommendations of the Teston Road Individual Environmental Assessment (“IEA”) and that a portion of the Subject Lands may be subject to the Holding “(H)” provisions under the *Planning Act*, implemented through subsequent development applications. If it is determined that the lands are not required for the Teston Road extension, the underlying land uses designations (“Low-Rise Residential”) identified in the Official Plan shall prevail, without the need for further amendment. Subsequent development applications will need to be consistent with the findings of the approved Teston Road IEA.
- The Applications conform to VOP 2010.

***Council enacted By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law***

On October 20, 2021 Council enacted By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law (“By-law 1-21”). A notice of passing was circulated on October 25, 2021 in accordance with the *Planning Act*. The last date for filing an appeal to the OLT in respect of By-law 1-21 was November 15, 2021. By-law 1-21 is currently under appeal and when in force, will replace Zoning By-law 1-88, as amended.

***Amendments to Zoning By-law 1-88 are required to facilitate the revised Draft Plan***

The Owner submitted the Applications to amend the in-effect zoning approved by the OLT (which amended By-law 1-88) to implement revisions requested to the Draft Plan previously draft approved by the OLT. The intention is to recognize the OLT approved Zoning By-law Amendment, as may be further amended by the application in an Exception to By-law 1-21.

**Zoning:**

- “RD1 Residential Zone One”, “RD3 Residential Detached Zone Three”, “RD3 (H) Residential Detached Zone Three” with the Holding Symbol “(H)”, “OS1 Open Space Conservation Zone”, “OS1 (H) Open Space Conservation Zone” with the Holding Symbol “(H)”, and “OS5 Open Space Environmental Protection Zone” by Zoning By-law 1-88 as approved by OLT, dated January 3, 2020
- The Owner proposes to amend the “RD1 Residential Zone One”, “RD3 Residential Detached Zone Three”, “RD3 (H) Residential Detached Zone Three with the Holding Symbol “(H)”, “OS1 Open Space Conservation Zone”, “OS1 (H) Open Space Conservation Zone with the Holding Symbol “(H)”, and “OS5 Open Space Environmental Protection Zone” zoning on the Subject Lands.
- These zones are proposed to change to “RD1 Residential Detached Zone One”, “RD3 Residential Detached Zone Three”, “RD3(H) Residential Detached Zone Three with the Holding Symbol “(H)”, “OS1 Open Space Conservation Zone”, “OS1(H) Open Space Conservation Zone with the Holding Symbol “(H)”, and “OS5 Open Space Environmental Protection Zone” with site-specific zoning exceptions shown on Attachment 1 to facilitate changes to the Draft Plan previously approved by the OLT, to facilitate a change to the stormwater management for the Subject Lands by removing the stormwater management pond and replacing it with underground

stormwater storage tank on the east side of proposed Street A as shown on Attachment 2 and making adjustments to the zone boundaries to accommodate these changes in the Draft Plan along with site-specific exceptions (Attachment 2).

- Attachment 3 shows the OLT approved Draft Plan with the OLT approved zoning.
- Additional zoning exceptions may be identified through the detailed review of the Applications and will be considered in a comprehensive report to a future Committee of the Whole meeting.

Additional zoning exceptions may be identified through the detailed review of the Applications and will be considered in a technical report to a future Committee of the Whole meeting.

Table 1:

	<b>Zoning By-law 1-88 Standard</b>	<b>RD1 Residential Detached Zone One and RD3 Residential Detached Zone Three Requirements</b>	<b>Proposed Exceptions to the RD1 Residential Detached Zone One and RD3 Residential Detached Zone Three Requirements</b>
a.	Minimum Lot Frontage	RD1 - 18 m RD3 – 12 m	17 m* for Lot 21
b.	Minimum Exterior Side Yard	3 m abutting public lane, site triangle 3.5 m abutting greenway or buffer block	2.4 m*
c.	Minimum Interior Side Yard	RD1- 1.2 m RD3 – 1.2 m 3.5 on a lot abutting a walkway, greenway, buffer block or stormwater management pond	1.2 m* on a lot abutting a non- residential use including a walkway, Greenway, buffer block or stormwater management pond
d.	Minimum Rear Yard	7.5 m	6 m *
e.	Maximum Building Height	11 m	13 m *
f.	Accessory Buildings or Structures Minimum Setback Requirements	Limited to rear yards with setback 0.6 m	Front and side yard setback requirements shall be as indicated by the applicable zone for Lots 1 to 90 Minimum rear yard setbacks shall be 0.6 m*



	<b>Zoning By-law 1-88 Standard</b>	<b>RD1 Residential Detached Zone One and RD3 Residential Detached Zone Three Requirements</b>	<b>Proposed Exceptions to the RD1 Residential Detached Zone One and RD3 Residential Detached Zone Three Requirements</b>
g.	Definition of Porch	Encroachments permitted into minimum - front yard, exterior yard, interior yards abutting greenway, walkway buffer block or stormwater management pond unenclosed porch – 2.5 m	-means a structure abutting the main wall of the building that is covered by a roof, balcony or enclosed space or room and is open to the air on at least one side, with or without a foundation*
h.	Definition of Chimney or Fireplace Enclosure	Chimney may encroach 1.8 m – front yard 1.8 m rear yard 1.8 m exterior side yard 0.0 m interior side yard	- means a chimney or fireplace enclosure may encroach a maximum of 0.6 m into any yard*
i.	Holding Symbol		The Holding Symbol “(H)” shall: i) remain on Lots 1-7 and Block 94 until York Region completes the Teston Road Extension IEA, road alignment and design  ii) remain on Lots 48 to 56, Lots 1 to 9 and Block 96 until Teston Road has been completed and approved by York Region and the temporary stormwater management pond is completed to the satisfaction of approval authorities

Note: \* asterisk identifies new exceptions from this Application not previously included in the OLT approved zoning

***The Draft Plan is revised to facilitate changes to the OLT draft approved plan***

Attachment 2 shows revisions to the Draft Plan previously approved by the OLT, consisting of the following:

- removal of the stormwater management pond
- the addition of an underground stormwater management storage tank and outfall area

- removal of the pedestrian walkway Block 90, linking Street “D” to the previous pond
- realignment of Street “A” adjacent to Block 93 for the underground storage tank
- enlargement of Block 96 with the removal of the south portion of the Block 98 OS5 Buffer Block from the area adjacent to Block 96
- lot and block renumbering resulting from these changes

The proposed Landscape Plan (Attachment 4) shows the landscape treatment of the OS5 Buffer (Block 98), the 10 m OS1 Buffer (Block 91), the landscape treatment for the former pond area and the stormwater outfall area (Block 96). Proposed chain-link and acoustic fencing is also shown.

***Following a preliminary review of the applications, the Development Planning Department has identified the following matters to be reviewed in greater detail***

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENTS</b>
a.	Conformity and Consistency with Provincial Policies, York Region and City Official Plan Policies and the OLT Order	<ul style="list-style-type: none"> <li>▪ The Applications will be reviewed for consistency and conformity with the Provincial Policy Statement, 2020 (the ‘PPS’), A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the ‘Growth Plan’) and the policies of the York Region Official Plan, 2010 (‘YROP’), VOP 2010 and the OLT Order for the Subject Lands.</li> </ul>
b.	Appropriateness of Amendments to Zoning By-law	<ul style="list-style-type: none"> <li>▪ The appropriateness of the rezoning and site-specific exceptions will be reviewed in consideration of the existing and planned surrounding land uses.</li> <li>▪ The Application is to amend By-law 1-88. The OLT approved amendments to By-law 1-88 to zone the Subject Lands for a residential subdivision based on the zoning by-law in effect at the time of the OLT hearing.</li> </ul>
c.	Draft Plan of Subdivision	<ul style="list-style-type: none"> <li>▪ Should the Applications be approved, any required conditions or revised conditions will be included to address site access, road alignments and connections, servicing and grading, operation and maintenance cost for the proposed underground stormwater management system, in place of the previously approved stormwater management pond, environmental, noise, and other municipal, regional and public agency and utility requirements, including the possible staking of lands to be taken into public ownership including any lands required for as a vegetation protection zone.</li> <li>▪ The Draft Plan of Subdivision shall be provided to Development Planning in GEO referenced format.</li> </ul>

	MATTERS TO BE REVIEWED	COMMENTS
d.	Studies and Reports	<ul style="list-style-type: none"> <li>▪ The Owner submitted studies and reports in support of the Applications available on the city's website at <a href="https://maps.v Vaughan.ca/planit/">https://maps.v Vaughan.ca/planit/</a> (PLANit Viewer) and must be approved to the satisfaction of the City or respective approval authority. Additional studies and/or reports may be required as part of the application review process.</li> <li>▪ Additional studies such as Architectural Guidelines and an updated Landscape Cost Estimate must be submitted to the satisfaction of the City of Vaughan.</li> </ul>
e.	Allocation and Servicing	The availability of water and sanitary servicing capacity for the Development must be identified and allocated by Vaughan Council, if the applications are approved. If servicing allocation is unavailable, the lands will be zoned with a Holding Symbol "(H)", which will be removed once servicing capacity is identified and allocated to the lands by Vaughan Council.
f.	Urban Design Guidelines	<ul style="list-style-type: none"> <li>▪ The Draft Plan will be reviewed in consideration of the City of Vaughan City-wide Urban Design Guidelines.</li> </ul>
g.	Public Agency/Municipal Review	<ul style="list-style-type: none"> <li>▪ The Applications must be reviewed by York Region and the Toronto and Region Conservation Authority, external public agencies and utilities.</li> <li>▪ The southern portion of the Subject Lands may be affected by the recommendations of the York Region led Teston Road Individual Environmental Assessment ("IEA").</li> <li>▪ <a href="#">Teston Road IEA Study   York Region</a> link to IEA information</li> </ul>
h.	Sustainable Development	<ul style="list-style-type: none"> <li>▪ The Applications will be reviewed in consideration of the City of Vaughan's Policies and Sustainability Metrics Program. The Development shall achieve a minimum Bronze score of 21.</li> </ul>
i.	Parkland Dedication	<ul style="list-style-type: none"> <li>▪ The Applications will be reviewed in consideration of the requirements of the <i>Planning Act</i> and the City of Vaughan's Parkland Dedication Policy.</li> </ul>
j.	Cultural Heritage	<ul style="list-style-type: none"> <li>▪ The Owner shall submit a Cultural Heritage Impact Assessment for the revised Draft Plan of Subdivision to be reviewed by the Vaughan Cultural Heritage Section in consideration of the existing buildings on the Subject Lands.</li> </ul>

## **Financial Impact**

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

## **Broader Regional Impacts/Considerations**

The Applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. York Region has no further comments on these applications and Region's previous comments continue to apply. Any issues will be addressed when the technical report is considered.

## **Conclusion**

The preliminary issues identified in this report and any other issues identified through the processing of the Applications will be considered in the technical review of the Applications. Comments from the public and Vaughan Council expressed at the Public Meeting or in writing will be addressed in a comprehensive report to a future Committee of the Whole meeting.

**For more information**, please contact Laura Janotta, Planner, Development Planning Department, ext. 8634.

## **Attachments**

1. Context and Location Map
2. Proposed Zoning and Revised Draft Plan of Subdivision Amendment  
File 19T-17V009
3. OLT Approved Draft Plan of Subdivision File 19T-17V009 and OLT Approved  
Zoning
4. Landscape Plan for Draft Plan of Subdivision Amendment File 19T-17V009

## **Prepared by**

Laura Janotta, Planner, ext. 8634

Margaret Holyday, Senior Planner, ext. 8216

Nancy Tuckett, Director of Development Planning, ext. 8529

## **Approved by**

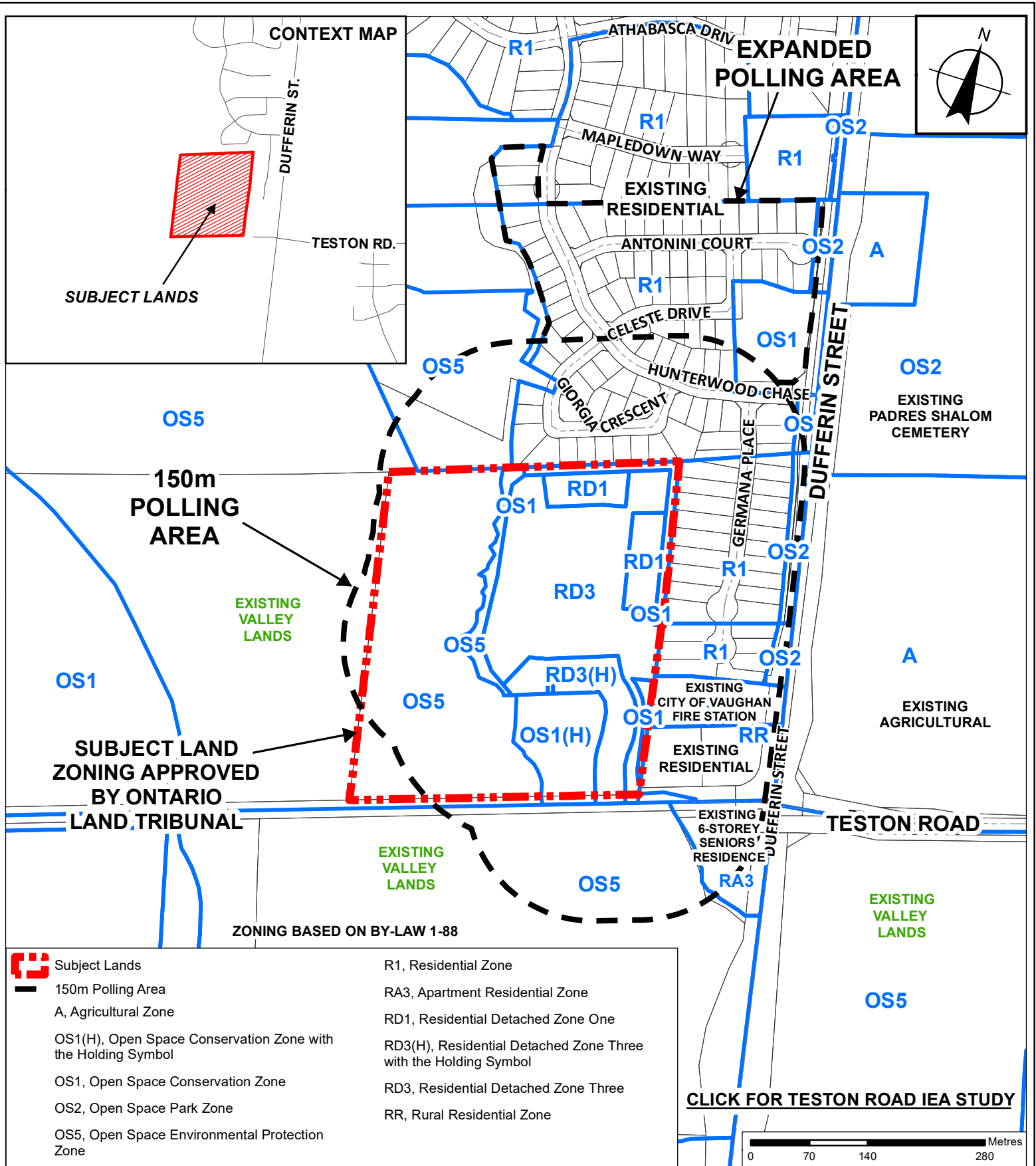


Haiqing Xu, Deputy City Manager,  
Planning and Growth Management

## **Reviewed by**



Nick Spensieri, City Manager



## Context and Location Map

**LOCATION:** 1600 Teston Road;  
Part of Lot 26, Concession 3

**APPLICANT:**  
Teston Sands Inc.



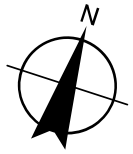
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






**FILES:**  
Z.21.046 and  
19T-17V009

**DATE:** January 18, 2022

**1**





-  12.00 m Single-Detached Lots
-  18.00 m Single-Detached Lots
-  19.00m Single-Detached Lots
-  Open Space
-  Stormwater Management
-  Vegetation Protection Zone
-  Natural Heritage

#### ZONING BASED ON BY-LAW 1-88



Subject Lands

OS1(H), Open Space Conservation Zone with the Holding Symbol

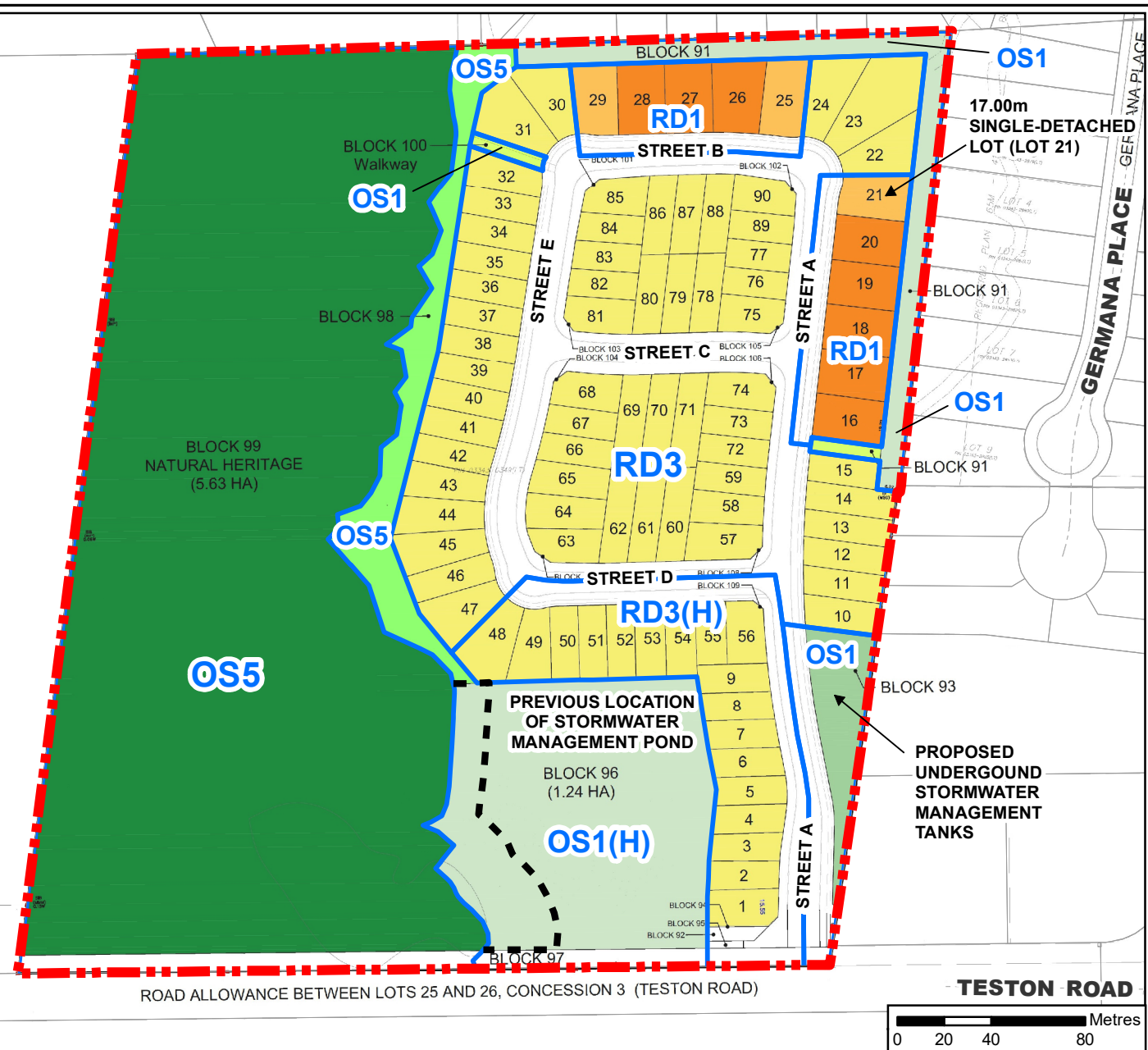
OS1, Open Space Conservation Zone

OS5, Open Space Environmental Protection Zone

RD1, Residential Detached Zone One

RD3(H), Residential Detached Zone Three with the Holding Symbol

RD3, Residential Detached Zone Three



## Proposed Zoning and Revised Draft Plan of Subdivision File 19T-17V009

**LOCATION:** 1600 Teston Road;  
Part of Lot 26, Concession 3

**APPLICANT:**  
Teston Sands Inc.



## Attachment

**FILES:**  
Z.21.046 and  
19T-17V009

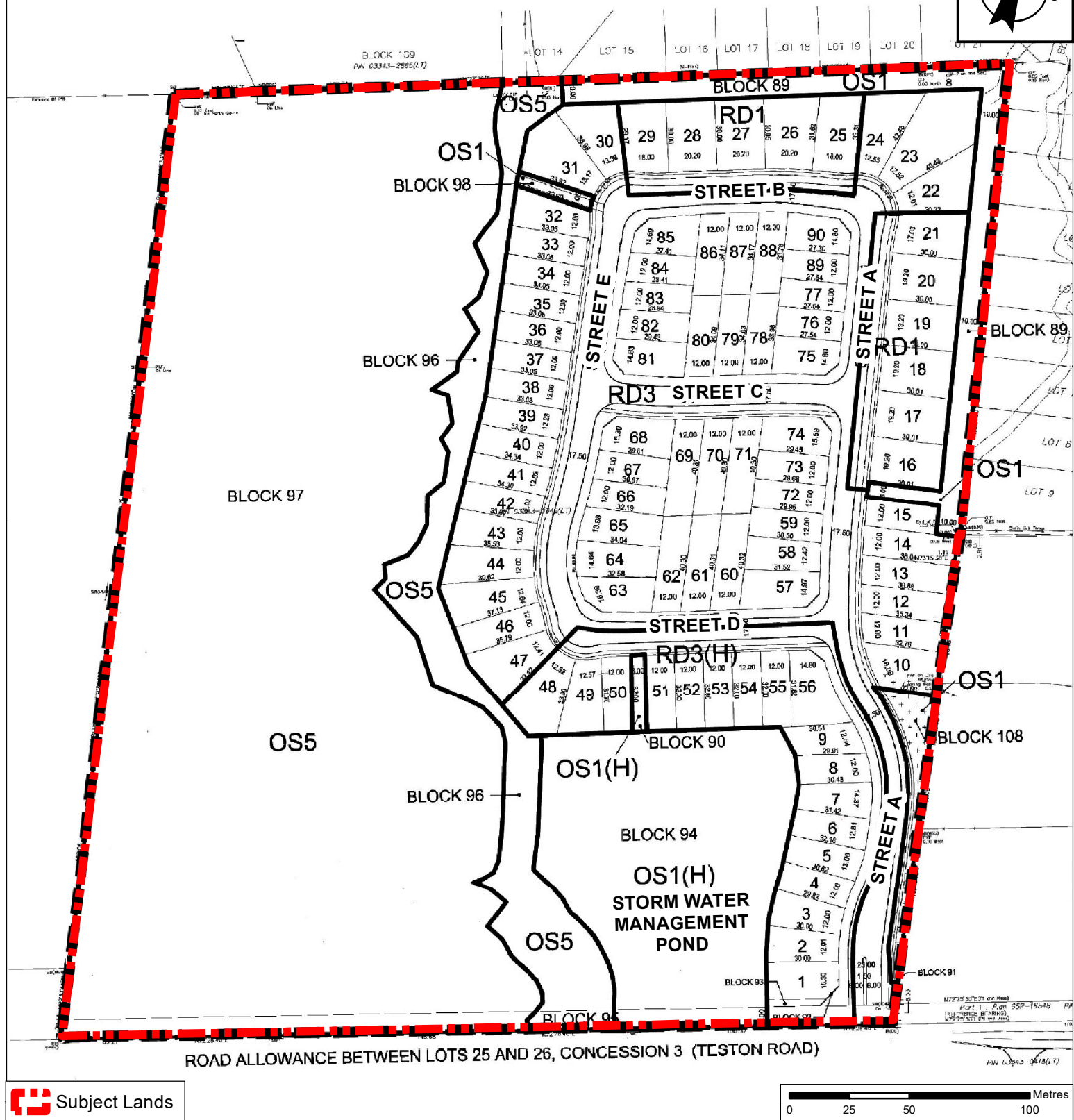
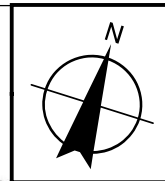
**DATE:** January 18, 2022

# 2





★ ZONING APPROVED BY  
ONTARIO LAND TRIBUNAL



**OLT Approved Draft Plan of  
Subdivision File 19T-17V009 and  
OLT Approved Zoning**

**LOCATION:** Part of Lot 26, Concession 3  
**APPLICANT:** 1600 Teston Road; Teston Sands Inc.



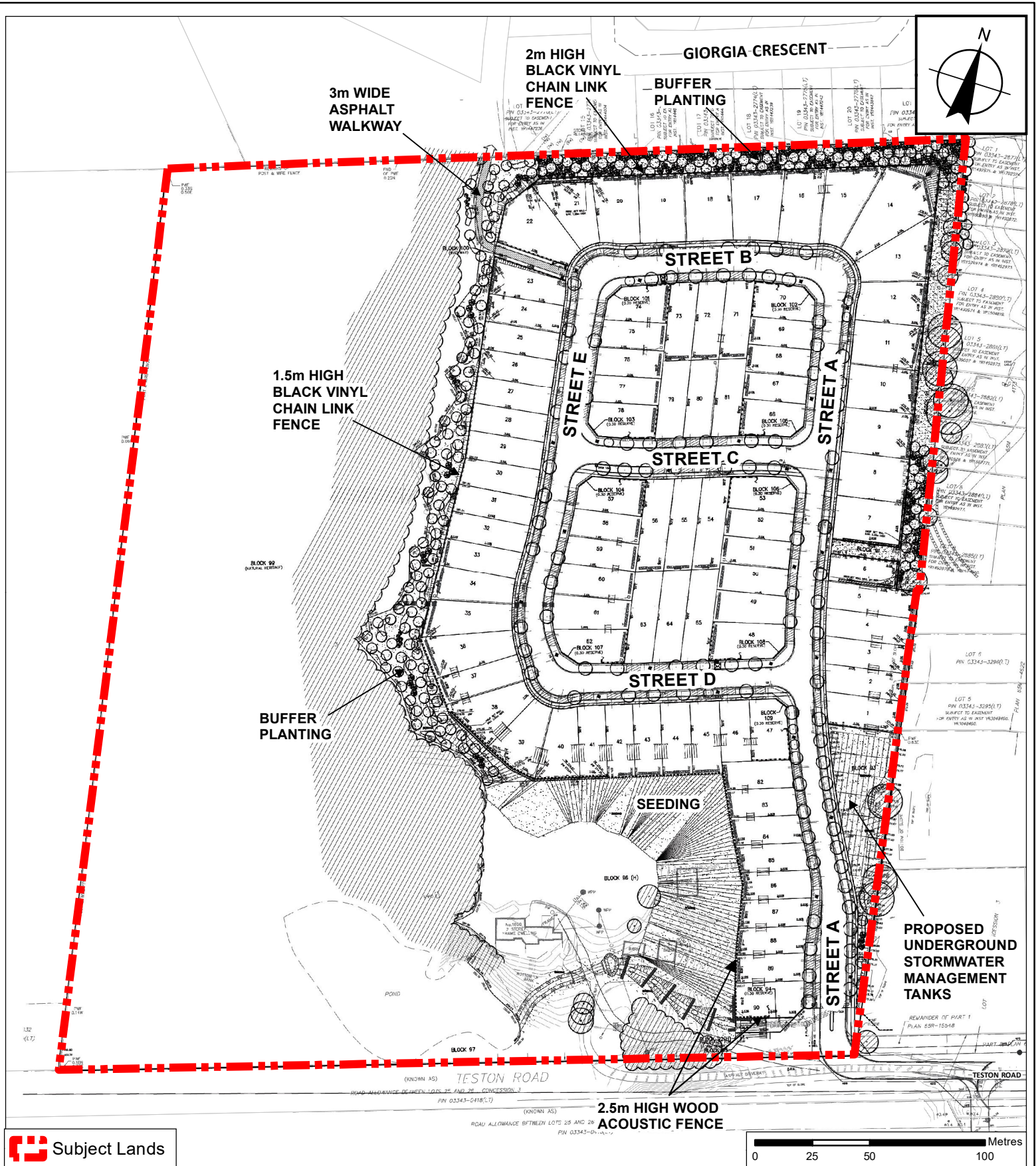
**Attachment**

**FILES:**  
Z.21.046 and  
19T-17V009

**DATE:** January 18, 2022

**3**









## Committee of the Whole (Public Meeting) Report

---

**DATE:** Tuesday, January 18, 2022

**WARD(S):** ALL

**TITLE:** CITY-WIDE COMPREHENSIVE ZONING BY-LAW 001-2021  
ZONING BY-LAW AMENDMENT FILE Z.21.052  
AMENDMENTS TO TRANSITION PROVISIONS

**FROM:**

Haiping Xu, Deputy City Manager, Planning and Growth Management

Wendy Law, Deputy City Manager, Legal and Administrative Services and City Solicitor

**ACTION:** DECISION

---

**Purpose**

To receive comments from the public and the Committee of the Whole on draft amendments to the transition provisions (Section 1.6) (the “**Transition Provisions**”) of the City-Wide Comprehensive Zoning By-law 001-2021 (“**CZBL**”) identified in Attachment 1 to this Report.

**Report Highlights**

- The CZBL was enacted by Council on October 20, 2021.
- The CZBL has been appealed to the Ontario Land Tribunal (“**OLT**”) and some of the appeals relate to the Transition Provisions.
- Since the enactment of the CZBL, specific matters have been raised with respect to the application of the Transition Provisions to previously approved zoning by-law amendments, planning applications in process, planning approvals, and future planning and building permit applications.
- The proposed amendments to the Transition Provisions of the CZBL are intended to resolve some of these matters.
- A report prepared by the Planning and Growth Management Portfolio, in consultation with the Legal Services, is scheduled to be considered at the March 1, 2022 Committee of the Whole (1) meeting.

## **Recommendations**

1. THAT the Public Meeting report for draft amendments to the transition provisions of the City-Wide Comprehensive Zoning By-law 001-2021, as shown on Attachment 1, BE RECEIVED; and that any issues identified be addressed by staff in the Planning and Growth Management Portfolio, in consultation with the Legal Services, in a comprehensive report scheduled for the March 1, 2022 Committee of the Whole (1) meeting.

## **Background**

On October 20, 2021, Council enacted the CZBL which affects all properties within the City of Vaughan, with the exception of lands in the vicinity of Yonge Street and Steeles Avenue. The CZBL, when in force, will replace Zoning By-law 1-88, as amended, with the exception of matters of transition pursuant to the Transition Provisions of the CZBL and the Yonge-Steeles Corridor Secondary Plan Area.

The CZBL has been appealed to the OLT and some of the appeals relate to the Transition Provisions. The CZBL does not come into force until all appeals have been withdrawn or finally disposed of, or an order of the OLT is issued bringing into effect sections of the CZBL that have not been appealed.

Since the enactment of the CZBL, specific matters have been raised with respect to the application of the Transition Provisions to previously approved zoning by-law amendments, planning applications in process, planning approvals, and future planning and building permit applications. This Report details proposed draft amendments to the Transition Provisions, as identified in Attachment 1, intended to resolve some of these matters and ensure ongoing efficient processing of planning and building permit applications.

The Transition Provisions of the CZBL as adopted are attached to this Report as Attachment 2. Attachment 3 to this Report is a comparison version which clearly sets out the proposed amendments.

## **Previous Reports/Authority**

[Item 9, Report No. 46, of the Committee of the Whole](#), which was adopted, as amended, by the Council of the City of Vaughan on October 20, 2021.

[Addendum 1 of the Council meeting of November 16, 2021](#), which was adopted by the Council of the City of Vaughan on November 16, 2021 and the confidential recommendations made public in part upon Council ratification (refer to page 2).

## **Analysis and Options**

The draft amendments to the Transition Provisions of the CZBL are as set out in Attachment 1 to this Report. What follows is a description of the proposed amendments, and an explanation of their purpose.

### ***Clarity and certainty regarding the effective date of the CZBL in respect of the applicability of the Transition Provisions is proposed within the Transition Provisions of the CZBL***

To provide clarity and certainty with respect to the effective date of the CZBL in respect of transition, an amendment is proposed to change “on or prior to the effective date of this By-law” to “on or prior to October 20, 2021” in all of the Transitions Provisions as identified in Attachment 1 to this Report. As noted above, October 20, 2021 was the date when Council enacted the CZBL.

### ***Amendments are proposed in Sections 1.6.2.8 and 1.6.3.3.2 to 1.6.3.3.4 of Attachment 1 to contemplate an expanded list of future planning applications and approvals to be completed under Zoning By-law 1-88, as amended***

If amended as proposed, the CZBL will not apply to prevent the approval of certain applications filed after October 20, 2021 if such applications comply with all requirements of the *Planning Act* and are complete and comply with an amendment to Zoning By-law 1-88, as amended, that:

1. was finally approved and in effect on or after January 1, 2010 and on or before October 20, 2021 (i.e. approvals for the implementation of an approved site-specific Zoning By-law Amendment);
2. was finally approved and in effect in relation to an application for a Zoning By-law Amendment that was filed and deemed complete on or before October 20, 2021;  
or
3. has been approved in principle by the Tribunal after January 1, 2010 where the final Order has been withheld.

The following is a list of applications and approvals for which the exemptions from the CZBL are intended to apply:

- (a) site plan drawings and conditions;
- (b) a consent to sever;

- (c) an approval of draft plan of subdivision;
- (d) a draft plan of condominium approval;
- (e) a part-lot control exemption pursuant to Section 50 of the *Planning Act*; and
- (f) a minor variance required as a condition or consequence of one of (a) to (e) above, or identified as required upon review of a building permit application.

Nothing in the CZBL will prevent the issuance of a building permit where the applicable applications described above have been finally approved and the building permit application complies with the provisions of Zoning By-law 1-88, as amended, as it read on October 20, 2021 and all final approved minor variances.

The exemptions proposed through the amendment will cease to apply upon completion of the project for which approvals and permits have been obtained.

The intent of the proposed amendment is to ensure that future planning applications to implement previously approved zoning by-law amendments under Zoning By-law 1-88, as amended, are permitted to continue through the approval process and be completed under Zoning By-law 1-88, as amended.

***Section 1.6.2.6 in Attachment 1 to this Report identifies a new provision that is proposed to be added to address site-specific zoning exceptions approved in Zoning By-law 1-88, as amended, but missing in the CZBL***

The CZBL will not apply where an amendment to Zoning By-law 1-88, as amended, was finally approved and in effect on or after January 1, 2010, and such amendment has not been included in Section 14 (Exception Zones) of the CZBL. This revision would allow a landowner to continue with previous zoning approvals under Zoning By-law 1-88, as amended, that were not included in the CZBL.

***Section 1.6.2.7 in Attachment 1 to this Report identifies a new provision that is proposed to be added to contemplate the removal of a Holding Symbol “(H)” that was previously implemented under Zoning By-law 1-88, as amended***

The CZBL will not apply to prevent the removal of a Holding Symbol “(H)” from an amendment to Zoning By-law 1-88, as amended, that was finally approved and in effect on or after January 1, 2010. This revision would allow a landowner to continue with satisfying conditions to remove a Holding Symbol “(H)” under Zoning By-law 1-88, as amended.



***Section 1.6.3.3.1 in Attachment 1 to this Report identifies an amendment that is proposed to clarify the approval of Zoning By-law Amendment applications in process***

The CZBL will not apply to prevent the approval of an application for a Zoning By-law Amendment if the application was filed and deemed complete in accordance with Vaughan Official Plan, 2010 on or before October 20, 2021, and complies with all requirements of the *Planning Act*.

***Sections 1.6.3.3.5 and 1.6.3.3.6 in Attachment 1 to this Report identify amendments proposed to clarify the approval of planning applications in process***

Nothing in the CZBL will prevent the approval of the following applications if: (1) the application was filed and deemed complete on or before October 20, 2021 in accordance with Vaughan Official Plan, 2010; (2) the project complies with the provisions of Zoning By-law 1-88, as amended, as it read on October 20, 2021; and (3) the project complies with all requirements of the *Planning Act*.

- (a) a consent to sever;
- (b) an approval of draft plan of subdivision;
- (c) a plan of condominium approval; or
- (d) a part lot control exemption approval pursuant to Section 50 of the *Planning Act*.

The proposed amendment would provide for planning applications in process to obtain building permits and to be completed under Zoning By-law 1-88, as amended. A building permit may be issued under Zoning By-law 1-88, as amended, after final approval is received for the applications described above based on an application for a building permit filed after October 20, 2021. However, the project and building permit application in question must comply with the provisions of Zoning By-law 1-88, as amended, as it read on October 20, 2021, including all final approved minor variances.

Where a project complies, as described above, the proposed amendment provides for ample opportunity and greater clarity to landowners wishing to complete their planning applications under Zoning By-law 1-88, as amended, that was in force at the time of the application.

***Section 1.6.3.3.7 in Attachment 1 to this Report identifies an amendment to contemplate approvals granted in principle by the Tribunal based on Zoning By-law 1-88, as amended, that are issued after October 20, 2021***

An amendment is proposed to delete the reference to “on or before the effective date of this By-law” as identified in Section 1.6.3.3.2 of the Transition Provisions of the CZBL as adopted. The intent of the proposed amendment is to ensure that approvals granted in principle by the Tribunal on or after January 1, 2010 based on Zoning By-law 1-88, as amended, are to be completed under Zoning By-law 1-88, as amended, notwithstanding that the approvals granted in principle by the Tribunal may be issued after October 20, 2021.

***Section 1.6.4 in Attachment 1 to this Report identifies that the exemptions under the Transition Provisions are proposed to cease upon the issuance of the building permit(s) upon which the exemptions are founded***

An amendment is proposed which is intended to provide development applications in process, and future development applications, approvals and building permits, the opportunity to be completed under Zoning By-law 1-88, as amended, until the earlier of: (1) the issuance of the building permit(s) upon which the exemptions are founded; or (2) ten (10) years after October 20, 2021.

The proposed amendment is required in order for the amendments described above to have effect, specifically, to ensure that future planning applications to implement previous approvals under Zoning By-law 1-88, as amended, are permitted to continue through the approval process and be completed under Zoning By-law 1-88, as amended.

**Financial Impact**

There are no financial implications associated with this Report.

**Broader Regional Impacts/Considerations**

Not applicable

## **Conclusion**

The proposed amendments to the Transition Provisions of the CZBL are intended to resolve matters that have been raised with respect to the application of the Transition Provisions to previously approved zoning by-law amendments, planning applications in process, certain planning approvals, and future planning and building permit applications.

**For more information**, please contact: Candace Tashos, Legal Counsel, ext. 3618

## **Attachments**

1. Draft Amendments to the Transition Provisions of Zoning By-law 001-2021
2. Transition Provisions (Section 1.6) of Zoning By-law 001-2021
3. Comparison Version which clearly sets out the proposed amendments

## **Prepared by**

Candace Tashos, Legal Counsel, extension 3618

Caterina Facciolo, Deputy City Solicitor, Planning and Real Estate, extension 8662

Brandon Correia, Manager of Special Projects, Planning and Growth Management, extension 8227

Elvio Valente, Building Standards, Manager, Zoning Services and Zoning Administrator, extension 8374

## **Approved by**



Haiqing Xu, Deputy City Manager,  
Planning and Growth Management

## **Approved by**



Wendy Law, Deputy City Manager,  
Legal and Administrative Services &  
City Solicitor

## **Reviewed by**



Nick Spensieri, City Manager



## Transition

For the purposes of determining zoning compliance for matters covered by Section 1.6 of this By-law, the provisions of Zoning By-law 1-88, as amended, as it read on October 20, 2021 shall apply.

### 1.6.1 Building Permit Applications

1. Nothing in this By-law shall prevent the erection or use of a building or structure for which an application for a building permit has been filed on or prior to October 20, 2021.

### 1.6.2 Planning Act Approvals

1. The requirements of this By-law do not apply to a lot where a minor variance to Zoning By-law 1-88, as amended, was authorized by the Committee of Adjustment of the City or the Ontario Municipal Board, the Local Planning Appeal Tribunal or the Ontario Land Tribunal (collectively, the "Tribunal") and finally approved on or after January 1, 2010 and on or before October 20, 2021 and a building permit for the applicable project has not yet been issued.
2. The requirements of this By-law do not apply to a lot where a provisional consent has been given by the Committee of Adjustment of the City or the Tribunal on or after January 1, 2010 and on or before October 20, 2021 and a building permit for the applicable project has not yet been issued, the lot has not yet been registered at the Land Registry Office, or the applicable easement or agreement has not yet been registered on title.
3. The requirements of this By-law do not apply to a lot where a conditional or final site plan approval has been granted by the City or the Tribunal on or after January 1, 2010 and on or before October 20, 2021 and a building permit for the applicable project has not yet been issued.
4. For clarity, where a minor variance to Zoning By-law 1-88, as amended, was authorized by the Committee of Adjustment of the City or the Tribunal on or after January 1, 2010 and on or before October 20, 2021 as a requisite condition for a site plan approval, Section 1.6.2.3 shall apply to give effect to the applicable site plan approval.
5. For approved site plans and minor variances where this By-law has subsequently been amended, the regulations in effect on the date of approval of the site plan or minor variance shall apply to any building permit applications.
6. The requirements of this By-law do not apply to a lot where an amendment to Zoning By-law 1-88 was finally approved and in effect on or after January 1, 2010, and such amendment has not been included in Section 14 herein.
7. The requirements of this By-law do not apply to prevent the removal of a holding symbol ("H") from an amendment to Zoning By-law 1-88 that was finally approved and in effect on or after January 1, 2010.

8. 1. The requirements of this By-law do not apply to prevent the approval of the following applications filed after October 20, 2021 if such application(s) are complete and, save under (f), comply with an amendment to Zoning By-law 1-88 that was finally approved and in effect on or after January 1, 2010 and on or before October 20, 2021, or that has been approved in principle by the Tribunal after January 1, 2010 where the final order has been withheld, and comply with all requirements of the Planning Act:
  - (a) site plan drawings and conditions;
  - (b) a consent to sever;
  - (c) an approval of draft plan of subdivision;
  - (d) a plan of condominium approval;
  - (e) a part-lot control exemption approval pursuant to Section 50 of the Planning Act; or
  - (f) a minor variance required as a condition or consequence of one of (a) to (e) above, or identified as required upon review of a building permit application.
2. Nothing in this By-law shall prevent the erection or use of a building or structure on a lot where the applicable applications under Section 1.6.2.8.1 have been finally approved and the building permit application complies with the provisions of Zoning By-law 1-88, as amended as it read on October 20, 2021 and all final approved minor variances.
3. Upon completion of the project for which approvals and permits have been obtained pursuant to Sections 1.6.2.8.1 and 1.6.2.8.2, this exemption under Section 1.6.2.8 shall cease to apply.

### **1.6.3 Planning Applications in Process**

#### **1.6.3.1 Minor Variance Applications**

1. Nothing in this By-law shall prevent the erection or use of a building or structure, in the circumstances set out in Section 1.6.3.1.1(a) and (b), for which:
  - (a) a complete application for a minor variance under Section 45 of the Planning Act was filed on or before October 20, 2021; or
  - (b) a complete application for minor variance under Section 45 of the Planning Act was filed after October 20, 2021 based on a building permit application referred to in Section 1.6.1.1.
2. Where a project qualifies under Section 1.6.3.1.1:
  - (a) the minor variance may be granted in compliance with Section 45 of the Planning Act in the context of Zoning By-law 1-88, as amended, as it read on October 20, 2021; and
  - (b) a building permit for that project may be issued after final approval is received for the minor variance if the project in question and the building permit application complies with the provisions of Zoning By-law 1-88, as amended, as it read on October 20, 2021, and all final approved minor variances.

### **1.6.3.2 Site Plan Approval Applications**

1. Nothing in this By-law shall prevent the erection or use of a building or structure for a project for which a complete application for site plan approval was filed on or before October 20, 2021, if the project in question complies with the provisions of Zoning By-law 1-88, as amended, as it read on October 20, 2021.
2. Where a project qualifies under Section 1.6.3.2.1:
  - (a) The Conditions of final site plan approval may be granted if the project complies with the provisions of Zoning By-law 1-88, as amended, as it read on October 20, 2021, and all requirements of the Planning Act; and
  - (b) after the conditions of site plan approval or final site plan approval is received for a project that qualifies under Section 1.6.3.2.1, a building permit for that project may be issued if the project in question and the building permit application for the project complies with the provisions of Zoning By-law 1-88, as amended, as it read on October 20, 2021, the site plan approval, and all approved minor variances.

### **1.6.3.3 Other Approvals**

1. The requirements of this By-law do not apply to prevent the approval of an application for a zoning by-law amendment if the application was filed and deemed complete in accordance with the City of Vaughan Official Plan, 2010 on or before October 20, 2021, and complies with all requirements of the Planning Act.
2. The requirements of this By-law do not apply to prevent the approval of the following applications filed after October 20, 2021 if such application(s), save under (f), are complete and comply with an amendment to Zoning By-law 1-88 that was finally approved and in effect in accordance with Section 1.6.3.3.1, and comply with all requirements of the Planning Act:
  - (a) site plan drawings and conditions;
  - (b) a consent to sever;
  - (c) an approval of draft plan of subdivision;
  - (d) a plan of condominium approval;
  - (e) a part-lot control exemption approval pursuant to Section 50 of the Planning Act; or
  - (f) a minor variance required as a condition or consequence of one of (a) to (e) above, or identified as required upon review of a building permit application.
3. Nothing in this By-law shall prevent the erection or use of a building or structure on a lot where the applicable applications under Sections 1.6.3.3.1 and 1.6.3.3.2 have been finally approved and are in effect and the building permit application complies with the provisions of Zoning By-law 1-88, as amended, as it read on October 20, 2021 and all final approved minor variances.
4. Upon completion of the project for which approvals and permits have been obtained pursuant to Sections 1.6.3.3.1 to 1.6.3.3.3, this exemption shall cease to apply.

5. The requirements of this By-law do not apply to prevent the approval of the following applications where the application was filed and deemed complete in accordance with the City of Vaughan Official Plan, 2010 on or before October 20, 2021:
  - (a) a consent to sever;
  - (b) an approval of draft plan of subdivision;
  - (c) a plan of condominium approval; or
  - (d) a part-lot control exemption approval pursuant to Section 50 of the Planning Act.
6. Where a project qualifies under Section 1.6.3.3.5:
  - (a) the consent to sever, the approval of the draft plan of subdivision, the plan of condominium approval and the part-lot control exemption approval may be granted if the project complies with the provisions of Zoning By-law 1-88, as amended, as it read on October 20, 2021 and all requirements of the Planning Act; and
  - (b) a building permit for that project may be issued after final approval is received for the consent to sever, the approval of the draft plan of subdivision, the plan of condominium approval and the part-lot control exemption approval, based on an application for a building permit filed after October 20, 2021, if the project in question and the building permit application complies with the provisions of Zoning By-law 1-88, as amended, as it read on October 20, 2021, and all final approved minor variances.
7. The requirements of this By-law do not apply to a lot where the Tribunal has, on or after January 1, 2010, granted approval in principle for a zoning by-law amendment or minor variance to Zoning By-law 1-88, as amended, a provisional consent, or conditional or final site plan approval, but has decided that the final order shall be withheld until such time as the performance of certain terms imposed by the Tribunal have been satisfied.

#### **1.6.4 Duration of Transition Provisions**

1. Nothing in this By-law applies so as to continue the application of Sections 1.6.1 to 1.6.3 beyond the issuance of the building permit or permits upon which the exemptions are founded.
2. Notwithstanding Section 1.6.4.1 above, the provisions of Section 1.6 shall be repealed ten (10) years after October 20, 2021. This provision shall not require an amendment to this By-law to take effect.



## Transition

Notwithstanding the requirements of this By-law, a building permit may be issued in accordance with Section 1.6 of this By-law for the following scenarios.

For the purposes of determining zoning compliance for matters covered by Section 1.6 of this By-law, the provisions of Zoning By-law 1-88, as amended, as it read on the effective date of this By-law shall apply.

### 1.6.1 Building Permit Applications

1. Nothing in this By-law shall prevent the erection or use of a building or structure for which an application for a building permit has been filed on or prior to the effective date of this By-law.

### 1.6.2 Planning Act Approvals

1. The requirements of this By-law do not apply on a lot where a minor variance to Zoning By-law 1-88, as amended, was authorized by the Committee of Adjustment of the City or the Ontario Municipal Board, the Local Planning Appeal Tribunal or the Ontario Land Tribunal (collectively, the "Tribunal") on or after January 1, 2010 and on or before the effective date of this By-law and a building permit for the applicable project has not yet been issued.
2. The requirements of this By-law do not apply to a lot where a provisional consent has been given by the Committee of Adjustment of the City or the Tribunal on or after January 1, 2010 and on or before the effective date of this By-law and a building permit for the applicable project has not yet been issued, the lot has not yet been registered at the Land Registry Office, or the applicable easement or agreement has not yet been registered on title.
3. The requirements of this By-law do not apply to a lot where a conditional or final site plan approval has been granted by the City or the Tribunal on or after January 1, 2010 and on or before the effective date of this By-law and a building permit for the applicable project has not yet been issued.
4. For clarity, where a minor variance to Zoning By-law 1-88, as amended, was authorized by the Committee of Adjustment of the City or the Tribunal on or after January 1, 2010 and on or before the effective date of this By-law as a requisite condition for a site plan approval, Section 1.6.2.3 shall apply to give effect to the applicable site plan approval.
5. For approved site plans and minor variances where this By-law has subsequently been amended, the regulations in effect on the date of approval of the site plan or minor variance shall apply to any building permit applications.

### **1.6.3 Planning Applications in Process**

#### **1.6.3.1 Minor Variance Applications**

1. Nothing in this By-law will prevent the erection or use of a building or structure, in the circumstances set out in Section 1.6.3.1.1(a) and (b), for which:

(a) a complete application for a minor variance under Section 45 of the Planning Act was filed on or before the effective date of this By-law; or

(b) a complete application for minor variance under Section 45 of the Planning Act was filed after the effective date of this By-law based on a building permit application referred to in Section 1.6.1.1.

2. Where a project qualifies under Section 1.6.3.1.1:

(a) the minor variance may be granted in compliance with Section 45 of the Planning Act in the context of Zoning By-law 1-88, as amended, as it read on the effective date of this By-law; and

(b) a building permit for that project may be issued after final approval is received for the minor variance if the project in question and the building permit application complies with the provisions of Zoning By-law 1-88, as amended, as it read on the effective date of this By-law, and all final approved minor variances.

#### **1.6.3.2 Site Plan Approval Applications**

1. Nothing in this By-law will prevent the erection or use of a building or structure for a project for which a complete application for site plan approval was filed on or before the effective date of this By-law, if the project in question complies with the provisions of Zoning By-law 1-88, as amended, as it read on the effective date of this By-law.

2. Where a project qualifies under Section 1.6.3.2.1:

(a) The Conditions of final site plan approval may be granted if the project complies with the provisions of Zoning By-law 1-88, as amended, as it read on the effective date of this By-law, and all requirements of the Planning Act; and

(b) after the conditions of site plan approval or final site plan approval is received for a project that qualifies under Section 1.6.3.2.1, a building permit for that project may be issued if the project in question and the building permit application for the project complies with the provisions of Zoning By-law 1-88, as amended, as it read on the effective date of this By-law, the site plan approval, and all approved minor variances.

#### **1.6.3.3 Other Approvals**

1. The requirements of this By-law do not apply to prevent the approval of applications for zoning by-law amendment, minor variance, site plan, plan of subdivision, consent, part-lot control exemption or plan of condominium if the application was filed and deemed complete in accordance with the City of Vaughan Official Plan, 2010 on or before the effective date of this By-law.

2. The requirements of this By-law do not apply to a lot where the Tribunal has, on or after January 1, 2010 and on or before the effective date of this By-law, granted approval in principle for a zoning by-law amendment or minor variance to Zoning By-law 1-88, as amended, a provisional consent, or conditional or final site plan approval, but has decided that the final order shall be withheld until such time as the performance of certain terms imposed by the Tribunal have been satisfied.

#### **1.6.4 Duration of Transition Provisions**

1. Once a permit or approval has been granted in accordance with Section 1.6, the provisions of Zoning By-law 1-88, as amended, shall cease to be in effect.

2. Notwithstanding Section 1.6.4.1 above, the provisions of Section 1.6 shall be repealed ten (10) years from the effective date of this By-law. This provision shall not require an amendment to this By-law to take effect.



## Transition

~~Notwithstanding the requirements of this By-law, a building permit may be issued in accordance with Section 1.6 of this By-law for the following scenarios:~~

For the purposes of determining zoning compliance for matters covered by Section 1.6 of this By-law, the provisions of Zoning By-law 1-88, as amended, as it read on ~~the effective date of this By-law~~October 20, 2021 shall apply.

### 1.6.1 Building Permit Applications

1. Nothing in this By-law shall prevent the erection or use of a building or structure for which an application for a building permit has been filed on or prior to ~~the effective date of this By-law~~October 20, 2021.

### 1.6.2 Planning Act Approvals

1. The requirements of this By-law do not apply ~~ento~~to a lot where a minor variance to Zoning By-law 1-88, as amended, was authorized by the Committee of Adjustment of the City or the Ontario Municipal Board, the Local Planning Appeal Tribunal or the Ontario Land Tribunal (collectively, the "Tribunal") ~~and finally approved~~on or after January 1, 2010 and on or before the effective date of this By-lawOctober 20, 2021 and a building permit for the applicable project has not yet been issued.
2. The requirements of this By-law do not apply to a lot where a provisional consent has been given by the Committee of Adjustment of the City or the Tribunal on or after January 1, 2010 and on or before ~~the effective date of this By-law~~October 20, 2021 and a building permit for the applicable project has not yet been issued, the lot has not yet been registered at the Land Registry Office, or the applicable easement or agreement has not yet been registered on title.
3. The requirements of this By-law do not apply to a lot where a conditional or final site plan approval has been granted by the City or the Tribunal on or after January 1, 2010 and on or before ~~the effective date of this By-law~~October 20, 2021 and a building permit for the applicable project has not yet been issued.
4. For clarity, where a minor variance to Zoning By-law 1-88, as amended, was authorized by the Committee of Adjustment of the City or the Tribunal on or after January 1, 2010 and on or before ~~the effective date of this By-law~~October 20, 2021 as a requisite condition for a site plan approval, Section 1.6.2.3 shall apply to give effect to the applicable site plan approval.
5. For approved site plans and minor variances where this By-law has subsequently been amended, the regulations in effect on the date of approval of the site plan or minor variance shall apply to any building permit applications.

6. The requirements of this By-law do not apply to a lot where an amendment to Zoning By-law 1-88 was finally approved and in effect on or after January 1, 2010, and such amendment has not been included in Section 14 herein.
7. The requirements of this By-law do not apply to prevent the removal of a holding symbol ("H") from an amendment to Zoning By-law 1-88 that was finally approved and in effect on or after January 1, 2010.
8. 1. The requirements of this By-law do not apply to prevent the approval of the following applications filed after October 20, 2021 if such application(s) are complete and, save under (f), comply with an amendment to Zoning By-law 1-88 that was finally approved and in effect on or after January 1, 2010 and on or before October 20, 2021, or that has been approved in principle by the Tribunal after January 1, 2010 where the final order has been withheld, and comply with all requirements of the Planning Act:
  - (a) site plan drawings and conditions;
  - (b) a consent to sever;
  - (c) an approval of draft plan of subdivision;
  - (d) a plan of condominium approval;
  - (e) a part-lot control exemption approval pursuant to Section 50 of the Planning Act; or
  - (f) a minor variance required as a condition or consequence of one of (a) to (e) above, or identified as required upon review of a building permit application.
2. Nothing in this By-law shall prevent the erection or use of a building or structure on a lot where the applicable applications under Section 1.6.2.8.1 have been finally approved and the building permit application complies with the provisions of Zoning By-law 1-88, as amended as it read on October 20, 2021 and all final approved minor variances.
3. Upon completion of the project for which approvals and permits have been obtained pursuant to Sections 1.6.2.8.1 and 1.6.2.8.2, this exemption under Section 1.6.2.8 shall cease to apply.

### **1.6.3 Planning Applications in Process**

#### **1.6.3.1 Minor Variance Applications**

1. Nothing in this By-law ~~will~~shall prevent the erection or use of a building or structure, in the circumstances set out in Section 1.6.3.1.1(a) and (b), for which:
  - (a) a complete application for a minor variance under Section 45 of the Planning Act was filed on or before ~~the effective date of this By-law~~October 20, 2021; or
  - (b) a complete application for minor variance under Section 45 of the Planning Act was filed after ~~the effective date of this By-law~~October 20, 2021 based on a building permit application referred to in Section 1.6.1.1.
2. Where a project qualifies under Section 1.6.3.1.1:

- (a) the minor variance may be granted in compliance with Section 45 of the Planning Act in the context of Zoning By-law 1-88, as amended, as it read on ~~the effective date of this By-law~~October 20, 2021; and
- ~~(b)~~ (b)—a building permit for that project may be issued after final approval is received for the minor variance if the project in question and the building permit application complies with the provisions of Zoning By-law 1-88, as amended, as it read on ~~the effective date of this By-law~~October 20, 2021, and all final approved minor variances.

### **1.6.3.2 Site Plan Approval Applications**

1. Nothing in this By-law ~~will~~shall prevent the erection or use of a building or structure for a project for which a complete application for site plan approval was filed on or before ~~the effective date of this By-law~~October 20, 2021, if the project in question complies with the provisions of Zoning By-law 1-88, as amended, as it read on ~~the effective date of this By-law~~October 20, 2021.
2. Where a project qualifies under Section 1.6.3.2.1:
  - (a) The Conditions of final site plan approval may be granted if the project complies with the provisions of Zoning By-law 1-88, as amended, as it read on ~~the effective date of this By-law~~October 20, 2021, and all requirements of the Planning Act; and
  - (b) after the conditions of site plan approval or final site plan approval is received for a project that qualifies under Section 1.6.3.2.1, a building permit for that project may be issued if the project in question and the building permit application for the project complies with the provisions of Zoning By-law 1-88, as amended, as it read on ~~the effective date of this By-law~~October 20, 2021, the site plan approval, and all approved minor variances.

### **1.6.3.3 ~~1.6.3.3~~ Other Approvals**

1. The requirements of this By-law do not apply to prevent the approval of ~~applications~~an application for a zoning by-law amendment, ~~minor variance, site plan, plan of subdivision, consent, part lot control exemption or plan of condominium~~ if the application was filed and deemed complete in accordance with the City of Vaughan Official Plan, 2010 on or before ~~the effective date of this By-law~~October 20, 2021, and complies with all requirements of the Planning Act.
2. The requirements of this By-law do not apply to prevent the approval of the following applications filed after October 20, 2021 if such application(s), save under (f), are complete and comply with an amendment to Zoning By-law 1-88 that was finally approved and in effect in accordance with Section 1.6.3.3.1, and comply with all requirements of the Planning Act:
  - (a) site plan drawings and conditions;
  - (b) a consent to sever;
  - (c) an approval of draft plan of subdivision;
  - (d) a plan of condominium approval;

- (e) a part-lot control exemption approval pursuant to Section 50 of the Planning Act; or
- (f) a minor variance required as a condition or consequence of one of (a) to (e) above, or identified as required upon review of a building permit application.

3. Nothing in this By-law shall prevent the erection or use of a building or structure on a lot where the applicable applications under Sections 1.6.3.3.1 and 1.6.3.3.2 have been finally approved and are in effect and the building permit application complies with the provisions of Zoning By-law 1-88, as amended, as it read on October 20, 2021 and all final approved minor variances.
4. Upon completion of the project for which approvals and permits have been obtained pursuant to Sections 1.6.3.3.1 to 1.6.3.3.3, this exemption shall cease to apply.
5. The requirements of this By-law do not apply to prevent the approval of the following applications where the application was filed and deemed complete in accordance with the City of Vaughan Official Plan, 2010 on or before October 20, 2021:
  - (a) a consent to sever;
  - (b) an approval of draft plan of subdivision;
  - (c) a plan of condominium approval; or
  - (d) a part-lot control exemption approval pursuant to Section 50 of the Planning Act.
6. Where a project qualifies under Section 1.6.3.3.5:
  - (a) the consent to sever, the approval of the draft plan of subdivision, the plan of condominium approval and the part-lot control exemption approval may be granted if the project complies with the provisions of Zoning By-law 1-88, as amended, as it read on October 20, 2021 and all requirements of the Planning Act; and
  - (b) a building permit for that project may be issued after final approval is received for the consent to sever, the approval of the draft plan of subdivision, the plan of condominium approval and the part-lot control exemption approval, based on an application for a building permit filed after October 20, 2021, if the project in question and the building permit application complies with the provisions of Zoning By-law 1-88, as amended, as it read on October 20, 2021, and all final approved minor variances.
7. ~~2.—~~The requirements of this By-law do not apply to a lot where the Tribunal has, on or after January 1, 2010~~—and on or before the effective date of this By-law~~, granted approval in principle for a zoning by-law amendment or minor variance to Zoning By-law 1-88, as amended, a provisional consent, or conditional or final site plan approval, but has decided that the final order shall be withheld until such time as the performance of certain terms imposed by the Tribunal have been satisfied.

#### **1.6.4 Duration of Transition Provisions**

1. ~~Once a permit or approval has been granted in accordance with Section 1.6, the provisions of Zoning By-law 1-88, as amended, shall cease to be in effect~~Nothing in this By-law applies so as to



continue the application of Sections 1.6.1 to 1.6.3 beyond the issuance of the building permit or permits upon which the exemptions are founded.

2. Notwithstanding Section 1.6.4.1 above, the provisions of Section 1.6 shall be repealed ten (10) years ~~from the effective date of this By-law~~after October 20, 2021. This provision shall not require an amendment to this By-law to take effect.